

Some Charitable
OBSERVATIONS

ON

A *late* **TREATISE**

OF

Church Lands & Tithes;

By Mr. FORBES A dvocat;

And tendered to the Publick

B Y

A Moderat Son of the Church of England.

Soleo in aliena Castra transire, Non ut Transfuga, sed ut Explorator,
Thus Seneca, in One of his Epistles to his Friend Lucilius.



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ERRATA

The Candid Reader is desired to correct these following Errata's occasioned by the Author's great distance from the Press.

Page 3d. Line 8th: for Austerities read Austerities. P. 12. l. 34. for but r. no
P. 16. l. 21. for very r. very P. 21. l. 27. for Mens Books, r. Men and Books
P. 23. l. 18. for too r. So. P. 33. l. 11. & l. 19. for cant, r. left, P. 34. l. 20. for not
his Nephew, r. with his Nephew P. 41. l. 12. for luidat, r. luidot, and for Royelets
r. Roitolets l. 19. for 350. r. 318. & l. 23. for Gener r. General. P. 48. l. 3. f. of
Shibboleth, r. or Symboleth. P. 49. l. 24 f. making a Bedlam House, r. making
for a Bedlam House P. 55. l. 4. f. ganted, r. granted. P. 59. l. 23. f. stoop to low,
r. stoop to low. P. 65. l. 33. f. iudietal, r. judicious. P. 66. l. 7. f. Munster, r.
Munier. P. 68. l. 7. f. Mercera, r. Micerat. P. 69. l. 7. f. Primitive Fast, r.
Pauitive Fast. P. 75. l. 30. f. as by, r. is, by. P. 77. l. 14. f. and demean, r. did
demean. P. 79. f. Nicen r. Nyssen. P. 80. l. 3. for Proviuence, r. Providence. P. 88.
l. 4. for will found, r. will be found, P. 99. l. 7. for brand r. Grand.





*Some Charitable Observations, on a late Treatise;
of Church-Lands and Tithes &c:*

TH E R E is not any Judicious Scots-man (unless he be either Unjust or Invidious) who will not readily acknowledge, that the Author hath been at a great deal of pains, to elucidat that Subject Matter, which had lyen very Obscure since our Reformation from Popery; too many both Church Men and men of Law, remaining meer strangers to the study of the Canon Law; as lying out of their Road (as they supposed) because the Authority thereof vvas banished with the Pope, yea many Ignorants (who are superstitious in avoiding Superstition) did palliat their Sacriledge with that wild fancy, that the Temporalities and Spiritualities of Ecclesiastick Benefices, were also exiled with that Roman Pontife, as so many rags of the beast, yet too many of these beastly men, Judged them a very handson Ornament, when sheltered under the livery of a Laick, and dignified with the Glorious title of a *Lordship of Erection*.

Before we give a particular account of these few Annotations on this elaborat Work, it is fit to be told, that probably Some Errors are meerly Typographick It is also possible, that (beside too many Tautologies) the learned Author hath been Obnoxious to Some mistakes and defects, for *Humanum est labi*, it being an old Maxim

Aliquando bonus dormitat Homerus, Neither was the great St. *Augustine* ashamed of his *Retractions*; yea a Great Pagan Philosopher long before his time, used to say, *Non pudeat ad Meliora transire*, especially when these better things are pointed by a Friendly hand, and a Sincere Lover of Truth.

Page 5 cap. 2. At the beginning, He truly Narrates the first Occasion of *MONACHISM* among Christians, Yet might also have added a word or two concerning the first Founders of *Anachorites* (or *Eremites*) as contradistinguished from those that are usually termed *Monks* (for persecution gave the rise to both;) Some Popish Writers make their *era* no less antient than the two famous Prophets in the Old Testament, the Master and Servant, viz. *Elijah*, and *Elisba*, whom they find often sitting on Mount *Carmel* in a solitary posture: Others make *John the Baptist* the Father of the Christian Monks, and imagine the Jewish *Essens* described by *Philo*, to have been so many Christian *Monasticks*: But the most Judicious Antiquaries both Protestants & Romanists, seek no higher *Epocha*, than St. *Paul* the first *Eremit*, & St. *Antony* the Father of the Monks; for as St. *Hierom* tells in the history of their lives (and many other Church Historians) they fled to the deserts of *Aegypt* upon the account of Persecution, (I mean the 7th raised by the Emperour *Decius*) where *Paul* lived many years alone, and dyed without Company, except *Antony*, therefore termed the first *Eremit*. *Antony* also lived a long time in a Solitary Cell, but at last was perswaded to admitt of some Company with him, in regard of which association, he is usually termed the Father of *Monachism*, and it is to this Society, that the Numerous Monks of *Nitria* Own their Originall.

Page 6. *Simeon Stylites* or *Of the Pillar*, Is said to have lived in the 1. Century. this was a Typographick error, and I find it corrected among the *Errata*; for that strange Mortifier lived indeed about the beginning of the 5th. Century; but since our Author justly disproves that excessive mortification, he Perching like an Owl on the top of a Pillar, for the space of 40 years; he might have added, that the Bishop of the Diocess was of his Judgement, as to the Successor of *Simeon* and that was One *Daniel Stylita*, who mounted that prodigious Pillar after the Death of his predecessor, and began to retract all his former *Aukerides*; but the Bishop hearing of it

it, did break that Chain, and told this voluntary prisoner, that he manumitted him from his superstitious pageantries, and that it was a tempting of God to expose himself both day and night to such unwarrantable Austerities; for the Bishop was a Solid Man and far removed from Superstition and vanity: Now *Syria* being the Scene of these extraordinary Actions and passions, we may easily conclude, that in Countries much further removed from the Sun than *Syria*, these astonishing Austerities could not be long endured without a Miracle.

Page 12. There is a Supernumerary error, for there are but four Orders of Mendicant or begging Friars to be found in the Canon Law, who were not confined to their Cloisters by their respective Institutions, but permitted to go abroad and beg for the necessary sustenance of their Convents; As for the Order of *Mathurins* or *Trinity Friars*, it was indeed their principal work to seek Contributions from all compassionate Christians (who were in *bonis*) in order to the ransoming poor captivated Christians from the slavery of *Moors* and *Turks*; especially from the Inhumane Tyrants of *Tripoli*, *Algier*, and *Sally*; Yet they were not termed *Mendicantes*, far less branded with the odious Epithet of *Manducantes*, but most usually the Order of *Charity* or *Fratres Misericordie*, as it is in *Spain* to this very day, it being the unhappiness of its Inhabitants, to have that pernicious Vermin, those enemies of mankind in General, Situated so nigh unto them.

Page 16. Where it is said, that Missionaries introduce themselves under the Character of Physicians, *China* should have been excepted, for there they are Introduced under the Notion of Mathematicians, there being more expert Physicians in *China* (if we may believe the Jesuits) than are to be found in all *Europe*, tho they were strangers to the Art of *Cauterising*, till these Missionaries came first amongst them.

Page 17. Where it is declared, that Pope *Gregory* permitted the Monks to say privat Mass in the Monastery, it should also have been told (since there have been fifteen of them, at least, of that name) that it was *Gregory* the first of that number, and who is called more usually *Gregory the Great*.

Page 24. Where it is said, The *Acolytes* had the charge of the Lights in the Temple, it might also have been told, that their Primary Institution appointed them chiefly to be attendants or *Pedisequi* of the Bishop, that they might be witnesses of his Conversation, and that from such visible Emblems, they might learn Piety and Vertue, for the word in the Original imports no less.

Page 25. Where it is said, that the Popes pretend a Right to 'the Temporal Dominion of Italy, from the Donation of *Constantine the Great*, and that the same is mentioned in their Decretals &c. It might have been subjoyned, that the most early of their Decretals are now acknowledged by the best Criticks in the Roman Church, to be absurdly spurious; Yea, an Italian Romanist, (*Laurentius Vallaby* name) hath so baffled that Romantick Donation of *Constantine*, that ever since that time, the greatest Padrons of the Papal Jurisdiction in *Temporalibus*, have their recourse to the gifts of *Pepin the Father*, and *Charlemain the Son*, which is indeed much more probable than the former, because it was *Quid pro quo*, or *Manus manum fricat*, for it is certain One Pope had a great hand in the making the Father a King, and an other in making the Son an Emperour.

Page 27. I think *Duarenus* gives the most proper account of the word *Prebend*, not a *prabendo auxilium* or *consilium Episcopo*, but from the proportion of the Church revenue, which was appointed to every Canon, or member of the Chapter (to some more and to some less) for every designed portion with the Name of the Canon for whom it was appointed, thus ended, *prabenda est*, whence the Title *Prebend* or *Prebendary*.

Page 51. The *formalia verba* of our Author are as follows *Presentations being at length considered as an evil and grievance in the Church of Scotland, and a Popish custom, condemned by Acts of the General Assembly, &c.* I am fully perswaded, that our judicious Author, having made but one serious Reflection on the foregoing Expressions, will at least find them very ill worded, unless his Intellectuals have become too much darkened by a True Blue Cloud: For by *Popish Customs*, he must certainly understand Popish practices, (every acquired habit being the product of reiterated Acts) so that if we forego all *popish Customs*, we must abandon the publick

lick profession of the Christian Religion; for it is certain the Gospel is preached amongst them; the Evangelical Sacraments are administered, and publick Prayers are solemnized in their Churches, wherein they petition the God of all Mercies, to vouchsafe upon his people, the three great blessings purchased by the blood of the Son of God, viz. *pardon of Sin*, the *Communion of the Holy Spirit*, with a *solid Title to Eternal Life*; so that if the Churches of the Reformation should reject all these particulars, because *Popish Customs*, we should become worse than the *Jews*.

But what our *K. James 6th* used to say very judiciously, may be here very fitly applied, viz. That we ought not to decline further from the Roman Church than they have declined from the practice of the primitive; which is the best ordinary Commentary we have upon the sacred Scripture, so that we ought carefully to distinguish betwixt the *popish customs & points of Poperie*: For example, the preaching of the Gospel is no *point of Poperie*, but only the impure mixtures wherewith they too often blend that which they call preaching. It is no *point of poperie* to baptize in the Name of the blessed Trinity but only to superadd many superstitious Ceremonies to the Divine-Institution: It is no *point of poperie* to celebrate the Eucharist, but to mutilate that blessed Sacrament, and to withhold sacrilegiously the one half of it from the people, that is barefaced popery: the same may be said of publick prayers, to address the Lord paramount of Heaven and Earth, by confession of Sin, deprecation of Wrath, petition for Mercy, and Thanksgiving for Blessings, nothing of this is popery; but to pray in an unknown Tongue, and to give Religious worship to any Creature, whether Saint or Angel, it is that which fixeth the Mark of the Beast upon their Devotions.

Now the most apparent Era of the Apocalypick Beast, is to be found in that most detestable Usurpation of *P. Boniface* the 3d, upon the Liberties of the Visible Church, by assuming to himself the Epithets of *ecumenical Patriarch*, and universal Bishop, notwithstanding what his predecessor *Gregory the Great* had said, more than once, That whosoever usurped those odious Titles, was the *Forerunner of Antichrist*, which general expression included the Patriarch of Rome, no less than him of *Constantinople*: but *Boniface*

face speedily complied with that politick Maxim, *That one Usurper may be found a good help to another*, providing it be in different Jurisdictions; for *Phocas* having murdered his master *Mauritius*, for his own settlement in the Eastern Empire, very frankly bestowed all those Epithets on the Bishop of Rome, even the same forementioned Titles, which *John* the Patriarch of Constantinople had too ambitiously affected, and wherein the Emperour *Mauritius* had too much countenanced him: For tho that Bishop was usually termed *JOANNES JEJUNATOR*, in regard of his extraordinary Fasting, yet it seems he hath not been abstemious as to the vice of Ambition. But how to reduce Ecclesiastical Patronages to that Roman Usurpation, it passes my natural understanding, unless I could be perswaded, that a Child could have its being long before the Existence of its Natural Parent.

For it is most certain, Patronages were in use, for some Centuries of years, before that ambition of *Boniface* the 3d, and that in conformity to the approved maxim of the Canon Law, *Patronatus faciunt, Dos, Edificatio, Fundus*: For how soon *Constantine* the Great restored Halcyonian days to the Church, not only that great Emperour with his Mother *Helena*, were careful to re-edify those sacred Buildings, which had been thrown down by the persecution of *Dialetian*, and to rear up other Churches much more capacious and magnificent than the former, and to endow all with competent provisions for those who were to officiate in them; but such was the vigour of true Christian Zeal for the glory of God and the good of his Church, that very many (who were in bonis) did imitate that great Emperour, and that before the middle of the 4th Century; so that there was infinit reason for it, that they and their heirs should be Patrons of those Churches which they had erected and endowed. And indeed I must needs say it, That whatsoever particular Church would bereave them of that honour, they would appear prodigiously ingrate to their great Benefactors; not to speak of that great discouragement given to others, who might have been inclined to follow their good example, even in this degenerate Age of Christianity.

Another Topick of our Author against this kind of Patronage, is the Authority of the *General Assembly*, because many Acts thereof militat against it. But I hope he is not so bigot, as to entertain such imaginations of all such Acts, as the Popes do of themselves, and all Councils ratified by them. viz, that they are all infallible, and hence they bogle not to conclude, That all are Hereticks who do not believe the 12 new Articles, which Pope Pius the 4th extracted out of the Council (or Convencie) at *Trent*, because all were homologated by himself; tho the most part of all, are diametrically opposite, both to Scripture, and the constant Doctrine and Practice of the Primitive Church. But if our Author hath turned over so many Volumes of History (as himself asserts) he could not but find many demonstrations of the Fallibility of many Acts of his *General Assemblies*, as being contradictory to the Sentiments of the purest Ages of the Church, for which I need instance no more than their Acts against Prelacy, and the five Articles of *Perth*, but there is a much more obvious Evidence of their pitifull Fallibility, and that is, their banishing Christs own Form out of his own House, as if they were ashamed to own themselves his Disciples; I mean that most perfect Form of Prayer, which he immediately taught his Church. They were indeed ashamed to make a positive Act against it, but it is certain that in the Assembly 49 they recommended the desuetude of it to all their Disciples, which impious Counsel hath been but too well observed, to the great Scandal of the whole Christian World.

Another Topick is the Restoration of the Peoples Liberty in the choice of their Pastor, which was formerly oppressed by their Patrons; But if we suppose the Patron that is exaundered to be the principal Heritor of the Parish, (which frequently falls out) he remains Patron upon the matter; so that the Popular Call is *Idem per Idem*, for his Tenants (who are Elders upon the Session) are but *Pedarij Senatores*, so that they must Vote as their master directs them, who are sure to carry it, tho there be one or two little Heritors beside, for the Election goes not like the choosing of a Pope, who must have the two parts of the Conclave for him, for in this case, the Majority will serve the turn, and that is one more than the half.

But

But our Author hath forgot the most plausible Argument amongst them all, which the greatest Zealots for a Congregational Call are ready to Object against those Patronages, viz. that they have opened a wide door to Simoniackal Transactions in the Church: So that as St. Bernard used to say in his time (which was above five hundred years agoe) that *there was a great occasion for the Lord Jesus to come again into his Temple with a whipp in his hand, to scourge all such buyers and sellers out of his house, that such base Merchandize may not be any more practised in the Church of God.*

To this I answer in the first place, that there is not any Generous Nobleman or Gentleman (not to speak of truly Conscientious Patrons) who would willingly become a *Gebazite*, that is guilty either of Sacrilege or Simony, suppose he had never heard of those Antient Canons of the Church which have so frequently pronounced an *Anathema danti & acipienti*. I had the honour to be well acquainted with a truly Noble Lord, before the late Cassinring of Patronages, who being thus tempted by a carnal Gospeller (that coveted a much better benefice than he enjoyed) answered his Proctor in the words of St. Peter to Simon Magus, *Thy Money perish with thee &c.* then subjoined that generous Soul, tho it is not such a gift of God, as that Father of Hereticks offered to buy, yet since it is *Quid Spirituali annexum* (according to the Ecclesiastical Canons) which your Constituent Solicits me to sell, you may tell him from me, that I look upon him as a base Mercenary, and most unworthy of the meanest Station in the House of God; And if all Patrons had been so conscionable, as to spurn away such unconscionable Chapmen, no doubt their Clients would have entered that Sacred Function with a much better Conscience, than some are rumoured to have done, and their Patrons should have died with a more honourable Reputation.

But I am to add in the last place, that which will appear a great paradox in the eyes of many, yet 'tis known by some to be a certain truth, as to some Parishes, both in the first and last Editions of a Popular Call, viz. That they resembled *Hercules* with his Serpent *Hydra*, who having lopped off the head of that Monster in the *Lercean Lake*, many new heads immediately sprang up in the room thereof

(9)
of : the Application is easy, for the general Patron of the Parish being discharged, every petty Heritor therein looks on himself (with his few Tenants) as a partial Patron; so that before he give his consent to the Call of a new Incumbent, some ease must be clandestinely promised, either as to great or small Tiends, whence they who have been inquisitive after the event of this New Model, have found it to Usher in, *Mutliplied Simony*.

But since one Leak in a Ship is easier stopped than many, now if both Church and State should again judge it fit to retrieve that most Antient privilege of Patronage to its old Chauncel, the best expedient (as I humbly suppose) to cause those streams run always pure, without the least mixture of hellish mudd, were to cause both Patron and Client to take the Oath of Simony (and that as strictly as could be framed) and if the Patron were found guilty of any Simoniackal Transaction, he should not only forfeit his right *pro hac vice*, but for ever, as an Escheat to the Crown, because he had betrayed that great Trust, wherewith the King of Kings had so highly honoured him in his own house : and as for those unworthy Candidats of the sacred Function, who are found to be the Genuine Disciples of *Simon Magus*, let them be declared for ever incapable of the meanest Office in the House of God : and if any judge this to be some what rigorous, they may find the Canon Law no less severe to the Popes themselves ; for it declared a Simoniackal Pope to be *ipso facto* deprived, and appoints an honester head to be substitute with all expedition in his See, tho termed *Sr. Peters Chair* : which Reflexion troubled the Pragmatick head of *P. Sixtus Quintus*, more than any thing else, that ever beset him in this world ; for *Philip* the 2d. of *Spain*, being informed that this Intriguing Pope, was desigining to retrieve the *Dominion Utile* of the Kingdom of *Naples*, to the Papacy, he threatned him with a general Council, wherein he was sure to prove him guilty of a Simoniackal Entry, tho' he had then worn the Triple Crown about five years ; which terrible Commination, from a proud and vindictive Prince, did within few days break the heart of that haughty Pope, for all the greatness of his Spirit. But enough of this Patrociny, if not too much.

Page. 60 Here 'tis asserted? That King *Malcom Kenmore* disponed, his Lands to his Subjects, &c. In which words there be two obvious,

vious mistakes: The first, of the Name, or rather *Agomen*; for it should not be *Kenmore* but *Canmor*, which in the *Ivish* Language signifies a *Great Head*; for this *Malcom* the 2^d had a very large Skull. But the other mistake is of the person Disposer of these Lands; For if we believe our *Scots* Historians, it was not *Malcom* the 3^d (alias *Kanmor*) but *Malcom* the 2^d, who made that foolish Disposition, for the 3^d was a more advised Prince, than to verify that old maxim, *insipientis est dicere, non putavi*.

Pag. 72. Where it is written, That *Julian* the Apostat his Edicts were reversed by *Jovian* and *Valentinian*; the latt should have been termed *Valentinian* the first: for there were three Emperors of that Name.

Pag. 77. It is said, That *Malcom* the 2^d, founded a Bishoprick at *Murthlack* in *Angus*, in commemoration of a signal Victory over the *Danes*: Whether the Assertion, That *Murthlack* is in *Angus*, be a Typographick Error, I cannot determine; but sure I am, it is a great error in Topography; for *Murthlack* is much nearer *Spey* than *Tay*, or the most Northern part of all the County of *Angus*, it being situate to the North-west of the Shire of *Aberdeen*, and of the Diocess thereof; for to Old *Aberdeen*, St. *David* did afterwards translate the Episcopal Cathedral.

Pag. 88. We read that Mr. *Thomas Lauder* Bishop of *Dunkeld* finished and dedicated the Church thereof in the year 1454, and magnificently ador'd (it should be adorn'd) it Anno 1010. Of which Words, I confess such a *Davns* as I, cannot make Sense; for they seem to import, That it was adorned 400 years before it was built.

Pag. 92. It is said that *Achatus* King of the *Picts*, did institute an Order of Knighthood in honour of St. *Andrew*. It should be *Achatus* King of the *Scots*, even the same King, who made the long-lasting *Scots League* with *Charles* the Great.

Pag. 95. There we read of Churches bestowed on Abbacys by K. *David* and K. *Alexander*, indefinite. Since we had two Kings of the Name of *David*, the first lived long before the other, and was deservedly honoured with the name of *Saint*, the other was *David Bruce* therefore in all Historical accounts, they should be designed first or 2^d, according to the Series of Time, and here by K. *David*

we are to understand *St. David*. The same may be said of our *Alexanders*, for we had three of them, and the last of them very unfortunate for himself and *Scotland*; it is of the 1st Surnamed the *Fierce* (as being a great Justiciary) that we are to understand the Donation here mentioned.

Pag. 99. We have an account of that saying of *K. James* the 1st in reference to *St. David*. That he was a *fore Saint to the Crown*. Yet if we believe *Arch-Bishop Spotswood*, who pretends to certain intelligence of it, all his Erogations on Bishopricks and Abbays, amounted to no more than an hundred and twenty thousand *Franks*, which was no great profuseness, even in a *Scottish King*.

Pag: 110. When it is told, That some Popes had shewn an inclination to reform the Church, &c. *Pope Adrian* the 6th, formerly Tutor to *Charles* the 5th, might have been instanced: for such a Religious inclination cost him his Life, by an *Italian Figg*, as many suppose.

Pag. 119 (beginning at the 25 § of that Sect.) we have these *formalia verba*. It may be alledged against this Act of Annexation; (meaning the Act of Parl. anno 1587.) That the annexing of *Po-pish Benefices* to the Crown, or converting them to civil or profane uses, is a plain Contravention of the Founders Will, but the Act may be thus accounted for, &c. which pretended account takes up not only page 119, but also page 120. and the most part of 121, to all which that old Satyr may be justly applyed, *magno conatu nugas*: For in his Arguings for Sacrilege, such Paralogisms may be found, That almost a Child may discover them to be repugnant both to Reason and Religion; for genuin Law is always grounded upon Reason, and if it be contrary to Natural or Revealed Religion, it is not properly Law (as the Angelical Doctor had use to say) but *violentia*. Thus H. Scripture tells us, That mischief is established by a Law, that is a Law, Equivocally so termed.

Our Author cites two Authorities, which might have restrained him from being so sanguine in an evil Cause. The 1st is that of *K. James* 6th, *Spotswood* (saith he pag. 122) tells us, That his Majesty upon second Thoughts, was sorry for having passed the General Act of Annexation, and recommended to his Son the Rescinding thereof, as a vile and pernicious one. But another most worthy Bishop

shop declared to me, more than once, That when he was Minister at *Darsey*, the said famous Primar did tell him much more than he had written in his Church History; "even that the King with many Tears, had related that unjustifiable matter to him I was (said the Prince) retrained in my younger years, by a pack of Sycophantic Self-seekers, who pretended the great advantage of the Crown, whereas they intended nothing else, but to have their Sacrilegious Robberies sheltered under an Act of Parliament, so that we have good reason to fear, that the Curse denounced by the Prophet *Malachy* (in the name of the great God, against his Ancient People) will befall this Nation. Then his Majesty cited the words of *Mal. 2. 3. v. 8, 9. Will a man rob his God? but ye have robbed me, wherein have we robbed thee? in Tithes, in Offerings, ye are cursed with a Curse, because ye have robbed me, even the whole Nation. And then he addeth, That many in Britain had already experimented that ominous Observation concerning the Eagles pulling a Collop from the Altar, to which a fatal Coal adhered, That in Lieu of feeding her young Ones, burnt up Nest and all.*

The Other Authority, is of a very plous and Learned subject, viz. Dr. *John Forbes Laird of Corse*, Professor of Divinity in the University of Old *Aberdeen*, and the first that filled the Theologick Chair established there, both to his own honour, and the glory of the whole Nation; whose positive assertion was (as cited by our author) that what is once consecrated to a sacred Use, ought not by any human Authority be reduced to a profane or common Use; and then instances the severe Judgment of God, that befall *Achan* under the law, with *Ananias* and *Saphira* under the Gospel: which excellent Thesis was so well confirmed by him, that the least atome thereof remains unconvelled, notwithstanding of all those sophistical arguments, that have been made against it: and since this famous Divine was an expert Historiographer, if our Author had farther consulted him, he would have sufficiently informed him, that there was scarce any Age of the World, wherein the Supream Governour of it, had but inflicted signal Judgments on Sacrilegious persons, be their Quality never so great in the world, and that to the admiration of all the Observant Inhabitants thereof.

It was indeed no great wonder, that the Syrian Princes and *Marcus Crassus* the Roman, who presumed to rob the temple at *Jerusalem*, were severely punished, as the history of the *Maccabees* and *Josephus* the Jewish historian inform us, since that was the house of the true and ever living God; but it is a great Mystery to many, that Great plagues should have befallen those who robbed Pagan Temples, yet the matter of fact is most certain, if we believe either secular or Ecclesiastick history: For *Cambyfes*, with his *Persians*, sadly smarted, for but designing to rob the temple of *Jupiter Amon*; the same may be said of *Xerxes*, that other foolish Persian Prince, and *Brennus* with his *Gauls*, for the same sacrilegious Intention, as to that Famous Pagan Oracle at *Delphi*. But not to speak of the utter extinction of the *Phocians* for actually robbing that temple, tho' situated within their own bounds, the most remarkable extensive Judgment for Sacrilege, was that upon the Roman Consul *Cepio*, with his whole Army, for robbing the rich Temple of *Itholuse* in *Languedock*: for all that had an hand in it (and that was the generality of his Army) came to Miserable Ends; so that it became proverbial at *Rome* when they saw any very Miserable Creature, to say *Aurum habet Itholusum*.

Neither must we forget *Dionysius* the Elder of *Sicily*, whom our Author might have ranked with his *Henry* the 8th, for as both were the most Sacrilegious persons in their respective Ages, so they did apparently verify the old Maxime (which is mostly applicable to such persons,) *de male quaesitis non gaudet tertius heres*. For the Old *Dennis* had often vaunted, that he had eyed the Crown of *Sicily* with Chains of *Adamant* to his Son: yet his Immediate Heir was soon tumbled from that Throne, and glad to become a poor School-master at *Corinth* divers years before he died. Now tho' we have ranked old *Henry* of *England* with old *Dennis* of *Sicily* in the general Class of Sacrilege, yet since we should not to bely the Devil, it ought to be told, that the old Tyrant of *Syracuse* was much more insolent in his Sacrilege, than the tyrant of *England*: *Henry* indeed too frequently verified that old proverb, *Male parva, Male dilabuntur*, by prodigally squandering away great parcels of Consecrated Lands among detached Courtiers, who did alienate things dedicated to a Sacred Use, unto a profane One, in the worst sense; But that old *Sicilian Ty-*

rant made sport of all his Sacrilegious acts; thus when he took the Golden Cloak from *Jupiters statue*, he gave him one of cloth, and said he would find it lighter in Summer and warmer in Winter; when he caused shave the great Golden beard, of *Aesculapius*, he said, it was unseemly for the Son to have a long beard, when his Father *Apollo* had none: and when he had robbed the rich Temple of *Proserpina* among the *Locrians*, finding a fair gale of wind to drive him home, from the coast of *Italy*, he then cryed out with exultation, *O how the Gods do favour Sacriledge!*

But this comparison minds me of a Sacrilegious and Simonaical Prince of England, long before *Henry the 8th*, viz. *William the 2d*. Surnamed *Rufus*, who used after his frequent practices of Sacriledge & Simony, to say, *that Gods Bread was Sweet*, but he found it a very sowre and bitter Morrell in the end, for he came to a violent end, in that New Forrest, where he smarted both for his own Sins and the great Crime of his Father *William the Conqueror*, for he had pulled down many Churches, that he might enlarge that fatal Forrest: But I had almost forgot to unriddle that Mystry concerning Pagan Temples robbed by Pagans, which I shall doe in very few words. It was Sacriledge as to them, therefore God permitted the devil to punish his votaries severely, because they presumed to alienate to a prophane use that which they were perswaded was consecrated to a Sacred: and thus the Great God gave a demonstration to the World of his great Abhorrency of the sin of Sacriledge.

I know it is Objected by some *English* Scriblers, that these Religious houses were Justly demolished, because they were become Nests of many Abominations, the sins of *Sodom* mentioned in Holy Scripture being rampant there, viz. Pride, Fullness of bread, and Idleness, directly contrary to the first Institution of those Monastries, and that too many of the female sex who were Nestled in those Convents, were found guilty of most Unnatural Crimes, so that the old Satyr may most fitly be applyed to them, with a little Inversion, *Ecclesia peperit devotas, & sua devoravit Matrem*: One of our first Reformers, having writen of all these Monasticks in general, that *velut porci in havis jaginantur*, and a prime *Scots* Reformer, having preached One day at *Perth*, that the best way to be ridd of the Rocks, was to pull down their Nests; this destructive doctrine, put such fire into the
furious

irious Mobb, that they instantly pulled down that Gately Edifice, which was built in that City for the *Carthusian* Monks, and wherein that most knowing Prince the Founder, was assassinated by that infamous Earl of *Athol* with his wicked Complices;

But when all this lybell is granted to be a truth, for Arguments sake (for true Charity cannot stretch that length without diverse exceptions) Yet that truly Moral and Religious position remains unshaken, viz. That things once Consecrated to a Sacred Use, cannot be defecated by any humane Authority; that is, cannot be Alienated to a profane or Common Use; Unless these pleaders for Sacrilege can make two particulars appear. 1mo. That these things could not be dedicated to any other Sacred use (either under the Notion of Piety or Charity or Publick good) Or 2do. That the abuse of any thing doth of necessity abolish the right use of it, which they will be able to do *ad Græcas Calendas*; and not till then.

As for the 1st, they must be great strangers to the state of *Britain*, who do not know, that there were many poor Stipendiaries both in *England* and *Scotland* in the latter days of *Henry the 8th.* and in the Minority of King *James VI.* No doubt the Bishops, Deans and Chapters in *England* were competently provided, since the Plantation of Christianity among the Antient *Brittains*, and their *Saxon* Conquerors; but as for their Vicars and Curats, there is hardly to be found any portion of the Christian World, wherein Church men are worse provided, than some of these poor Vicars and Curats are. For I know it *ex certa Scientia*, that during the Reign of King *Charles II.* there was a poor Vicar in *Yorkshire*, whose constant Salary amounted to no more yearly, than three Pounds five Shillings and a Groat (some what below the Fee which Noblemen and Gentlemen give to their Grooms, which wait upon their best Horses) Now, I pray, had it not favoured much more of true Piety and Charity, to have converted a considerable Portion of those Monastick Revenues for the Augmentation of the poor pittances of those Clergy men, whose necessities had rendered them so despicable in vulgar eyes, than to have squandered all away upon debauched Courtiers, and the worst sort of tame beasts, named COURT FLATTERERS?

And might not these Religious Houses (with a considerable part of their Rents) have been destinated for the subsistence of the Old,
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the Blind, the lame and infirm of both Sexes, who can neither work nor want? for the poor have a better right to our superfluities, than we have our selves, they being Gods proctors, and what is Charitably bestowed on them, Christ looks upon it as given to himself (as *Gregory Nazianzen* used to say) It is the greatest honour can befall any man, *Deum habere Debitorem*, to have God to be his Debitor. Under which *Hospitals*, the *Orphano-Trophia*, are fitly comprized, that is, Houses and sufficient Revenues mortified for the education of poor, but Towardly Boyes, like to *Heriots Hospital* at *Edinburgh*, whose name deserves to be had in everlasting Remembrance, as a Gold-Smith that was *vere aureus*, for I doubt if any parallel can be found to that noble Foundation in all the four Corners of *Brittain*.

That Religious Youth *Edward VI.* of *England*, was judged by all considerat Christians, to have done a very Charitable work in Dedicating One of his own Palaces named *Brydwell* (wherein the Great Emperour *Charles V.* had lodged in his Fathers time) to be a *Bedlam* House for Poor Distracted Creatures, that they might have Physicians, Chirurgeons and servants to attend them, that being confined to that place, they might not have been exposed to unthicking Souls, who are too apt to deride that great defect, which appears very lamentable in the eyes of all reasonable Creatures, I mean the apparent destitution of that great differencing Character of a Man from a Brute: And it is to be wished that some of those ill managed Monastick Revenues had been employed in all the principal Cities and Towns in *Britain*, for that same laudable End; as also, that in all these, Correction houses might have been erected, that all idle Drones, vagrant and sturdy Beggars (who live upon the sweat of other mens faces, and are the Cater-pillars of a Common-Wealth) might be put under Restraint and Constraint, that they might be compelled to provide food and Raiment at least for themselves (by such seasonable Discipline as that place can afford them) for which Religious Policy, the Republick of *Holland*, in my humble judgement, is to be commended above all the Common Wealths and Kingdoms of the World. I might add diverse other pious and Charitable uses, but I suppose what is already mentioned, would have done much to have exhausted all those Monastick Funds, (even in a Richer Kingdome than ever *Scotland* was, or is like to be) for tho the Annexation

tion of them to the Crown, was termed in the days of K. Charles 2^d, the greatest Gift that ever the English Parliament gave to any of their Kings, yet it was not *puteus inexhaustus*; as some covetous Popes used to term the Kingdom of England before the Reformation.

But what is above written is *ex hypothesi*. that an useful thing, if long abused, must like the *Brazen Serpent* be declared a *Nehushtan*, because long perverted to *Superstition* and *Idolatry*; as if the abuse of any thing (if it have been diuturnal) could never be separated from the former laudable use thereof: which ridiculous Doctrine (if still put in practice) would introduce a miserable confusion into the Universe it self, both physically and morally; for they must be bad Philologues, who do not know, That the *Æra* of the *Persians* adoring of the Sun (and of the whole host of Heaven) was anterior many years to the Erection of the *Brazen Serpent* in the Wilderness, and that the same is continued to this very day, in some parts of the *Persian Empire*: But, I pray, what a Dungeon of Darknets would this interior World be, if for that abuse, the Almighty God should annihilate that glorious Lamp of Heaven, suppose the Moon and Stars should be continued with us: for they who dwell in the habitable *Zones*, should be in a much more pitiful plight, than they who are situated under the *Poles*, if any be found to live there; yea if this Mass of Earth were still destitute of the Light and Heat of the Sun, both Generation and Corruption would fail, there being strong sense in that old philosophical Maxim, *Sol & homo generant hominem*.

As for matters of morality, I shall instance only some of the most obvious to vulgar Capacities; Is it not but too well known, That many (who have either an Explicit or Implicit Covenant with Satan) do superstitiously abuse diverse Expressions in holy Scripture; in the charming of Diseases, either in Man or Beast, shall we therefore expunge these sacred places out of our Bibles, because so abused? or shall we for ever forbear the use of the holy *Eucharist*, because that Sacramental Bread hath been in the *Roman-Church* (and still is) abused, to as great a height of Idolatry as ever the copious Fancy of Satan could devise? Or shall we cast Christs Form out of his House, to the Scandal of the whole Christian World

(as if we were ashamed to be Christs Disciples) and that in imitation of the modern Presbyterians, whose sacrilegious disuse of that most perfect Form of Prayer, is founded upon an imaginary superstitious abuse thereof, by many who are termed Christians. And if we turn to the Roman Church, who knows not, that the debarring of the Laicks from reading the Scriptures is founded on that Blasphemous Topick, that the permission hath occasioned many, if not all, the Damnable Heresies in the World? not considering that this Objection, makes more against the Priests reading of them, because most of those Heresies, that were broacht to the People, were first brewed by the Priests; Witness these Damnable Heresies that were condemned by the Four first General Councils; not to speak of any others. *But should men be deprived of the use of every good thing they abuse, I would fain know, what one good thing would be left free to their enjoyment.*

Now let us in the last place consider, if it be possible by Reason and Religion to retrieve the right use of Monasteries, notwithstanding the great degeneracy of the present Age, which we shall God willing make appear from the principal Motives to a Monastick Life in the Primarie Institution thereof, even after the Devil and his Instruments ceased to persecute the Church, upon the account of their open profession of our Holy Religion. The first inducement and most Laudable of all, is generally acknowledged to be, the avoidance of many temptations to diverse Vices, to which their promiscuous conversation with the World doth expose them, many being ready to say with that Noble Roman, 'Seing our life here is 'a continual warfare and Tentation, when I am long abroad, I return 'less man, than when I went from home, and on the other hand, *'Nunquam minus solus, quam quum solus,* especially when that solitary Life is mostly employed in Heavenly Meditation, Devotion and Mortification.

I know it may be Objected, that St. Hierom (who did depreciat the Married State too much) ingenuously declares, that notwithstanding his solitary retirement to the Deserts of Syria, yet he sometimes thought upon the Dames at Rome.

But to this 'tis answered, That such vain thoughts did only trouble him about the beginning of his Retirement, and that by his Auster-

Aufere Acts of Mortification in that Wilderness, he soon Subdued them all, and that he choose very apposite means for that end, may appear from this supposition; that a Christian young man having resolved (upon some spiritual accounts) to live Chast and Continent all his Life, yet knowing his Constitution to be very Amorous, so that he was most prone to dote upon fading beauties, & that his eye may never betray his heart, he judgeth it expedient to remove for ever, out of the sight of that fair Sex; for which resolution a Monastery proved a most secure Sanctuary: Thus it is reported of *Bruno*, the founder of the *Carthusians* (the strictest Order in all the *Roman Church* to this very day) that having resolved upon a very strict manner of living, in order to the Mortifying of his Carnal Lusts, and the more confirmed in it, by that prodigious Apparition at *Paris*, (so much talked of) the first course he took, beside much Fasting & Prayer, was to get a very remote and very high habitation upon a Rock in *Dauphine*, which was almost inaccessible to any mortal Creature, & there to resolve never to see the face of a Woman, which he punctually observed till he died, and that was the Space of 50 years, in which absolut Sequestration from the Female Sex, we do not read that he was so unnatural, as another *Anachorist* long before his time, who was not an *European*, but an *Asiatick*, and having shut himself up into a Grott or dark Cave under a Rock, he remained there without any company either of Man or Woman, Young or Old, half a Century of years also, and when his Sister (little younger than himself) had made a tedious Journey, as being very desirous to see such a mortified Brother, tho he knew her voice at the little door of the Cell, he would neither speak to her, nor give her entry; which too great Morosity, even in a Religious Recluse, was judged, at the best, to be the effect of Hypochondriack Melancholy, and by some (less charitable) supposed to be much worse. even a Criminal destitution of Natural affection, which by *St Paul* is ranked amongst the greatest of Crimes, and that more than Once.

These Religious Houses, (as they were usually termed) were very comfortable Receptacles for all contemplative Spirits, who did nauseate all the vanities of humane Conversation (and as a Modern Divine (much given to contemplation) used to say, *nisi*
quam

quam requiem inveniunt nisi in libris & in clausuro. for their frequent Meditation, in sweet sad Silence, upon the *quatuor novissima*, affords to them much more inward Complacency, than they could possibly find in all the profits, pleasures & glory of this vain World: which sanctified soul, by becoming Recluse, may benefit the Christian World by their Meditations, Devotions and Writings (if they have a Scholastick Genius) much more than by a daily Conversation therewith: Which Observation serves to answer that principal Topick which is improv'd by the Patrons of an active Life, as more excellent than a Contemplative, because the Son of God (whilst he honoured the Earth with his visible presence) was indefatigable in going about doing good; therefore, say they, all Christians are bound to imitate their infallible Lord and Master, in so far as they are capable, tho' that *B. Emmanuel* was infinitely more able to resist Evils and do good, than any Creature. Here indeed is strong arguing for an active Genius (whether by nature or grace,) but reaches not a meer contemplative Spirit, for the Reasons above expressed: And such an one was *Theodosius* the younger, whose Court for Piety and Devotion, resembled rather a Religious Monastery, than an Imperial Palace, so that it was usually said of him, that he prevailed more with God in his Closet for a blessing on his Armies abroad, than if he had been constantly on the head of all his martial Troops. And I am perswaded *St. Hierom* in his Cell at *Bethlehem* edified the Catholick Church more by his learned Writings, than if he had steered the Helm of the Roman Church: not to speak of *St. Bernard*, *Thomas a Kempis*, and many other learned Recluses, that have been found in the Christian World: Yea they must be strangers to secular History, who know not, that some of the greatest men in this World, and of very publick active Spirits, have run themselves out of Breath upon that eminent Theatre, so that they have been glad of the shadow of a privat Life, to recreate their weary Spirits, after so much Fatigue. Thus *Dioclesian*, the Emperour of Rome, having for the space of 20 years, sway'd the weightiest Scepter that ever was in this World, and with a great deal of Glory too (if we abstract from his persecuting of the Christians) yet being at last fatigued, he voluntarily abandoned that glorious pageantry, for the refreshment of a privat Life in his native Countrey of *Dalmatia*

matia: where, in effect he became a Gardner, in Imitation of the first Monarch of all this World, (tho I doubt if that Pagan Prince knew so much) so that when his old Colleague in the Empire, viz. *Maximianus Hercules* came to *Salone* where he resided, and urged him to re-assume the Empire for the good of the Publick, he brought him to his Garden, where he pointed at the Herbs and Trees which he had planted and grafted with his own hand, then told him, That he had much more pleasure in handling those young products of nature, than ever he had in grasping the Roman Scepter.

I might instance many Princes in *Britain* (especially during the *Saxon Heptarchy*) who in Imitation of *Dioclesian* (yet on a more Religious account) did most willingly exchange their Crowns for a Monks Cowl : But the most memorable of all those Royal Recluses, that ever were in the Christian World, tho some *German* Emperours had done so long before, but none of them made such a figure in the Empire as the famous *Charles 5th*, whom we are hinting at, vvhich he did vvithout the least shadow of Compulsion, he resigned (to the great admiration of the World) the Empire to his German Brother *Ferdinand* the first, and all his Hereditary Dominions, to his Son *Philip* the 2d, that he might enjoy God and himself in that Monastery of *St. Justus*, about the Extremitie of *Spain*: that great Soul having often in his mouth (during his two years sequestration from the World) that celebrated Expression of one of the Ancients "Wee to that man who lives well known to the 'World and dyes a stranger to himself, better for him never to have been born : Therefore subjoyned that devout Emperour, I have imployed too much time already in studying mens Books; it is now time for me to learn to know my self; which was the best Response that ever that Delphian Oracle gave: And it is worth the while to narrate, what the Historian *Strada* gives, as the principal motive of that great mans sequestration from the World, even a Dialogue betwixt him and one of his old *Spanish* Captains, which came to the Emperour desiring a Dimission from the VVar; his great Master knowing him to be a man of great Courage and Conduct, and being apprehensive, that his petition proceeded from a principle of Resentment because he had not been more highly advanced, for serving his Prince so long and so worthily : Therefore the Emperour said to him, I

cannot yet part with you, as being resolved upon a more honourable Post for you within a few days. You mistake me very much (said the Captain) as if worldly Ambition had made me take the Pelt, for I am ready to leave *vana vana*, and to turn my back on all the vanities of the VWorld with all expedition; and will make your Majesty my Confessor in the Case, if my Resolution be not well grounded; I am already become an old man, and more than 50 Winters have inowed upon my Head, it is God alone that knows how many days and hours I shall have afterwards; but I am fully perswaded that it is very convenient for a Christian man (if not absolutely necessary) to have a considerable Intervall of Time, betwixt the noise of the world and the hour of Death; that by the Aid of Divine Grace, he may be fitted for an end of Time, and be constantly preparing for Death, Judgment and Eternity. VWhich most religious Discourse, made such an Impression on the great Emperour, that he instantly resolved upon abandoning the world, as is above described.

There are two other advantages which were reaped by many in the Nation from these religious Houses, I shall briefly touch upon them, and have done with this prolix, if not tedious Discourse. The first redounded to the generality of the poor of the Nation; for even when they were under a great decay of Piety and Vertue, yet their Gates were found always open for the Relief of many indigent Creatures, who could neither work nor want; so that when the Abbeyes of Britain were demolished, there vvas found an universal Lamentation among the Poor, as if they had been in the Valley of *Bochim*: Neither vvas their Charity extended only to those, vwho had never made any figure in the World, but also to very many, who were related to ancient & honourable Families, yet being either immediately descended from thrifless or graceless Parents, & by them exposed, as it were, stark naked to the wide world; or having once well to live, yet by some fatal mischance (without their own prodigality) were brought very low, which they could neither prevent nor redress, so that they were not only reduced to great Penury, but also to become very contemptible in the Eyes of *Plebeians*, who are apt to misjudge all unfortunat Persons (be their descent never so honourable) as a company of silly Fools: But to that kind of people these

these Monasteries were the best Sanctuaries, under God, I mean, for such Calamitous persons of both sexes, according to their respective foundations, for unless they were extreamly degenerated, they still kept an open eye upon that great reward mentioned, *St. Math. 25.* which shall be awarded to all those who make conscience, by their Charity and Hospitality, *to feed and cloath a Naked Christ in his Members &c.*

The other Conveniency relates allenary to the Female Sex, many whereof would be content to live a single life all their days, if their Celibacy were not exposed to Misconstruction & contempt: uncharitable persons being apt to impute it, to the want of the goods of the Body, Mind and fortune, or any thing else than the love of Chastity, that they are so long unmatched, and thus they become very despicable in the eyes of a very wicked World: So that too many of a Noble descent (to obviat the reproach of Superannuated maids by profane Sparks) have not only descended below their quality, but have also thrown themselves into the arms of extream vicious loos, (*like Mezentius his Joining of the living to the dead,*) that they might not any longer hear that Song, *Gather your Rose buds whilst you may &c.* nor have their ears beaten with that Nonsensical poetical Satyr against old Maids, that it will be their hard fate to lead Apes in hell. But Nunneries were found a most honourable retreat for all such despised Viruosoës, where in lieu of contempt, they were judged (by diverse of the Antients) *most blessed among Women*, because they were affecting that *Aureola*, which is prepare^d for virginity, as all the Schoolmen conclude.

Now when all these advantages of truly religious houses above expressed, are duely pondered in the Scales of Reason and Conscience, I suppose there is no sober Christian, but will be ready to joyn issue with me, that they would be very Usefull for a Christian Nation, if duely Regulated, which Imports, that these Societies should live in a very perfect conformity to the established laws of a Reformed Church and State, and that the least prevaricator or prevaricatrix should be instantly extruded, as a Scabbed sheep is driven away from the flock, upon the first appearance of that Contagious disease, that there may be no further infection: and if this purgative method had been always seasonably used, it is probable that many
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of those stately edifices, which were erected in *Britain* for such *Laudable Ends*, would not have been buried long agoe under their own Rubbish, & now, *Seges ubi Troia fuit*, and I must needs confess, that when I chanced to see any of those remains, I have cordially wished, that the Ruins of those Religious Houses, were now totally ruined, that Strangers may not take Occasion any more, from such ruthfull Spectacles to brand our Nation with Barbarity upon that account. For Gods Grace is not limited to any time or place or persons, the wind of his Spirit blowing when it listeth, and where it listeth, a most Gracious God having promised his Holy Spirit to all that ask it, in whatsoever Age of the World, providing they ask aright. Why may we not then be hopefull (even in this degenerate Age of the World) that if Divine Providence shall retrieve these antient Monuments of Piety and Charity (as it were *jure postliminii*) that the Golden Age would in as high a measure be retrieved to this our Native Country, as it was in the days of our *St. Columbus*, when he Erected that Noble Monastery at *Icolm Kill* (or the Cell of *Columbus*) whose extraordinary Devotion and Mortification (for more Ages than One) made them to be greatly revered through the whole Christian World.

Yet for all my hast to end this Charitable Speculation (which me fears shall not be found practicable in my time) I shall only subjoin ore wish, That there be no Vows imposed upon such Recusates, but only the Reiteration of their Baptismal Vow, by a Solemn Declaration, that they are resolved to stand to it (by the Divine Assistance) all their days, and that whensoever they receive the Sacrament of the Holy Eucharist, which in the Primitive times, was at least every Lords day. Neither am I ignorant, that the Ordinary Vows of Chastity, Poverty and Obedience, are usually fathered upon the Great *St. Basil*, when he did institute those *Greek Monasticks*, which to this day are termed the Monks of *St. Basil*, from whom, the *Latin Church* pretends to have borrowed these Vows, but whosoever was the Father of them, I wish they had never been put in practice, I mean never enjoined, being so little put in practice, for the experience of the World doth abundantly teach us (suppose the Poet had never con-firmed it so wisely this sad truth, *Nimium in vetitum*, for I am
fully

fully perswaded, that even in the *Roman Church* at this very day, a greater number of both Sexes, would have been found more truly Chast and Continent, both in the sight of God and man, if they had never been fettered with those Vowes.

But least I should be judged singular in this Opinion, I shall support it with the Judgement of the *Athenian Oracle*, which Learned Society hath solidly and pertinently resolved this Query (*If it be lawful to make a Vow never to Marry?*) As they have done many others. Here take their answer in their own words.. 'I question very much whether it be Lawful to make an absolute Vow never to Marry, and am rather inclined to conclude in the Negative; for 'tis to me unanswerable Reason, because the whole Temper and constitution of the body, hath been known to alter in some years time, and tho a person may at one time have power over himself in things of this Nature, he may not at another time, the body being perfectly Mechanical, and in some cases refusing to obey the mind; a safer course in my judgement,) if persons willing to devote themselves to a single life, for the more uninterrupted Service of God and their Countrey) is to doe, as 'tis said, a late Noted man hath done for many years; make a Vow every morning, not to marry till night, since for so long, one may be able to guess at ones own strength. But enough also of this, if not too much.

Page 144. There we read, *But the necessity of the Kings Confirmation is clear from R. Majestatem &c.* It seems our Author hath not reflected upon it, that the Book called *Regiam Majestatem* (because it so begins) was compyled by *Glanvil* an *English* man, and was never entirely adopted by an Act of Parliament, as a part of the body of the *Scots Law*, whether Statutory or Customary.

Page 196. A much more obvious Etymology, or *Ætiology* of the word *Mortification*, (even to plebeian heads) might have been found, than what our Author derives from a Satyr upon the Clergy, viz. *donatio propter Mortem*, when a man on his Death bed is willing to part with that (which, may be, was formerly too dear to him) upon a pious or Charitable account; for many see more of the vanity of the world, by looking one Hour into the Glass of Death, than ever they did all their life time before.

Page 206. Our Author mentions Pope *Innocent* his ordering the Erection of the Cathedral of the Bishop of *Murray*, but since there were many *Innocents* (I mean Popes of that Name) neither could it be *Innocent* the I. (who is usually named *Absolute*) for he lived in the 5th Century, but since their oldest Era of that Erection is supposed to be the 13th Century; therefore it behoved to be either *Innocent* the 3d. or 4th; for both lived therein.

Page 214. Here the Author says, that he does not altogether disapprove the laying the bones of some eminent persons in the Church &c. but Physicians could have furnished him with a Physical reason against it, viz. when the Church is transformed into a *Houff*, it becomes an unwholsome place for the living to breath in.

It might here also have been told, that *Constantine* the Great, was the first who had his bones laid in a Christian Church, called the Church of the Apostles, yet not in the body of it, but only in the Porch thereof, and he obtested the Clergy for this, as a great favour on his death Bed; but not long after that Royal Interment, the bodies of much meaner persons were Crowded into the body of the Church; for the Ambition of some of both Sexes reacheth beyond the Grave.

Page 226. 227. 228. I must needs be so Ingenuous, as to declare for once, that our Authors History of Tithes is somewhat confused, notwithstanding his own Declaration (*in limine*), that it was his project to make it some better understood, than generally hitherto it hath been; for we find *Naufragium in portu*, in his doubtful saying. *But when or where the payment of Tithes first began under the Gospel dispensation, I cannot tell: Only we're sure it was not before the 400 year of God; &c.* Whereas in the very next Page, viz. 228. He apparently contradicts that assertion, where he tells us, that *Constantine* the Great was the first who commanded the Payment of Tithes. But they must needs be ill acquainted with the Civil or Ecclesiastick History, who do not know, that *Constantine* the Great was both dead and buried before the middle of the 4th Century; so that the best Apology that can be possibly made here, is, that it is a Typographick error, he having put the 400 year for the 4th Century. For it cannot rationally be imagined, that Tithes either great or small, were openly pay-
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ed before the beginning of the 4th. Century, since *Diocletian* with his bloody Collegue *Maximianus Herculeus*, and their no less Sanguinary *Casars*, were about that time furiously raging against the Church of God.

Ibidem. Our Author as if he designed to Antedate the Claim of an Universal Monarchy by the King of France, & that for the space of 900 years, insinuates that all Christian Princes, Danced after the Pipe of *Pepin*, and his Son King *Charles*, for thus he words it; Page. 228. *Yea the learned Bishop of Sarum says, that Pepin began, and Charles the Great Settled the Payment of Tithes, and other Princes Generally followed their example; But a Scots-man is ready to tell him, that his Voucher, whom he cites too frequently in the matter of Tithes, was scarce worthy to carry the Books (especially in the concerns of Philology, Antient History and true Criticisms; not to speak of a much more Solid Zeal for his Mother the Church) the Books (I say) of another English Bishop named Richard Montague, who did over-shoot the Great Lawyer Selden in his own Bowe, for he was also a great pretender to Antiquity, but he found Montague such an Antiquary in the confutation of his Book against Tithes, that he perfectly Silenced him, and tho' he lived diverse years after the Death of his Antagonist, yet he never adventured upon a Reply, which Silence appeared the more strange in the eyes of those, who had been at the pains to read the Preface to Selden's Book, wherein (such was his discretion) he most insolently brands the whole Clergy of England with Ignorance: for 'tis in allusion to that indiscretion, that Montague subjoyns this Sarcasm, to any unanswerable Argument in favours of Tithes (as he at least supposed) And this is from one of the Ignorant Clergy.*

I wish our Author had at least as studiously perused the Answer, as the Challenge, I mean *Montagues Book*, as well as *Seldens*, for it might have obviated much pains, in transcribing many silly Topicks from *Selden*, which were uncontrollably answered by *Montague*, before our Author was born. For this most learned Bishop, doth readily grant, that there could be no Tithes payed in France, in obedience to any Civil Law there, till the Conversion of *Clodoveus* or King *Clovis* 1. but a little after his Conversion, they

they came to be payed by Law, which was at least 300 Years before *Charles* the Great. He also grants, That the fierce Nation of the *Saxons*, could not be presumed to dedicate their *Tithes* to the Church, till that great Emperour by 30 Years War compelled them to become *Christians*: Neither could it be rationally imagined, That any of those Northern Kingdoms were early payers of *Tithes*, who were so late in paying their Homage to the True and Living God.

But as for *Britain* (especially his Native Countrey *England*) the old Maxim, *qui historiam suae gentis ignorat, domi peregrinatur*; was proverbially applied to that too confident Dictator, as if the *αὐτὸς ἐπὶ* of *Pythagoras* had been due to him, for if he would not have had his bare Word pass for good Coyn, he should not have suppressed that, which being once brought to Light, discovered either gross Ignorance or prejudice in the Author; for he insinuates, that there was nothing of our holy Religion in *England*, before *Augustin* the Monk; for that Assertion, that the *English* date their Conversion to *Christianity* only from *Augustin* the Monk his Mission and Expedition into *England* about the year 600, is very apt to impose on all those, who are ignorant that the old *Britains* had for diverse Centuries of years, possessed that individual Land, with the blessing of the Gospel among them, and that from the Days of *K. Lucius* (accounted the eldest *Christian* K. in the whole World) in which that glorious Light did still shine, till it was extinguished by the Pagan *Saxons*, and the whole Nation driven by these unfaithful *Auxiliaries* to the Mountains of *Wales*, to *Cornwall* and *Cumberland*, among which Inhabitants (when *Augustin* came to proselyt their infidel Successors in the Body of *England*) that famous Monk found well settled Churches provided with *Tithes*, and also so orderly, that they wanted not their *Hierarchy* of *Arch Bishops* and *Bishops*, *Presbyters* and *Deacons* (not to speak of some famous Monasteries among them) for who hath not heard of the Monks of *Bangor*, many hundreds whereof were massacred by a Pagan King, at the instigation of that proud Monk (as many supposed) because they would not comply with all the Ceremonies of the *Roman Church*, but the Non-payment of *Tithes* was not any point of this Quarrel; *Sto*

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Gregory the Great, his great *Padron*, had in many of his *Epistles*, recommended them to the *Christian Church*; not to speak of more ancient *Decretals* to the same purpose, which are acknowledged to be genuin by the best *Criticks* of both sides; for he had been prodigiously impertinent, to quarrel the want of that, which he knew to have been so long in use among them.

Let us take a brief View of the *Saxon Heptarchy*, and there I shall only point at three Evidences (in lieu of many) that it is highly improbable they should have wanted the use of *Tithes* till the 9th Century, in which the Renowned *K. Alfred* lived, for it was a considerable time after that Heptarchy was dissolved. Now the first *Christian Prince* among these 7, was *Ethelbert* the *K. of Kent* (where also the first of the Heptarchy was founded) whose Zeal for the *Christian Religion*, not only prompted him to make the instrument of his Conversion, the first *Arch-Bishop of Canterbury*, (tho there had been *Arch Bishops of London* among the *Britains* long before) but also gave him his own Royal Palace at *Canterbury*, to dwell in; and who can doubt, when such *feruor novitius* was upon that *K.* but that *Augustin* would easily have prevailed with him, to bestow that same legal Maintenance on his sacred Officers, as was *in specie* practised at *Rome* ? So that this happy conversion being carried on in the 6th Century, it is unaccountable, that the said provision should have been protracted by the said King and all his Successors, till the 9th Century, and to *Alfred*, who lived near the end of it, tho that Heptarchy was dissolved before that Century was well begun.

The 2d Evidence; is that Donation of *Ina K. of the West Saxons* (which Kingdom at last swallowed up all the rest) now as he was the 7th from the first Christian King named *Kingill*, so there were ten intermediat Princes betwixt him and his Successor *K. Alfred*. This is he who was the first Donor in the *Christian World* of that Tribute, called *Peter-pence*, to the *Roman Church*; which from his time, was continued till the days of *Henry* the 8th through all *England*; for *Polydore Vergil* (famous for diverse Books, and his *Englisk History* among the rest) was the Collector of that *Peter-pence* in the time of *K. Henry*, and stayed there many years on that account, till at last that boisterous Prince spurned

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away the Pope and all his Dependents : and if it be true that *Polydor* was such a destructive plagiary, that he destroyed all these *English Records*, whence he had compiled his *English History*, it is possible, that by that *Italian Trick*, he hath sent many Evidences for *Tithes* to the Flames. Now what rational Man can imagine, that any Christian Prince in his right Wits, would have obliged all his Subjects to a yearly Pension to a Foreign Bishop (and that under the Notion of *Spirituality*) unless his own Clergy had been sufficiently provided for, before that time.

The 3^d Evidence is, the yet extant Law for the payment of Great & Small *Tiends* made by the K. of the *West-Saxons*, named *Ethelwolf*, Son to *Egbert* the last K. of the *West-Saxons*, & the first *Saxon* K. of all *England* he was indeed Father to *Alfred*, but so that Three of his Elder Sons, viz. (*Ethelwald*, *Etherbert* and *Ethelfred* reigned successively before him : As for the trifling Exceptions *Selden* with his Disciples make against that Law of *Ethelwolf*, it may be said of them, what old *Chaucer* said of the *English* in general, *that what they love not, they seem not to understand*. But this may be easily understood from Authentick Histories, That King *Alfred* by a Constitution full of severe Sanctions, ratified what his Predecessors *Ina* and *Ethelwulf* had done, so gave a Demonstration to the World, that he was a good Christian, a great Lover of the Church and a great Justiciary; and if we give Faith to all that is recorded to his Advantage, he was certainly one of the best Christian Princes, that ever was in this World.

But let us cross the Sea, even the length of *Rome*, and there (if we either believe the Church or secular History) we may find abundant Evidence for the payment of *Tithes* to the Church, even in the 4th Century. Thus *Ruffinus*, who lived therein, testifies concerning the *Suburbicarian* Churches, by which he denominates and bounds the ancient Diocess of *Rome*, and tho the Bishop thereof, did afterward pretend to a much larger Jurisdiction, yet even that lesser Circle he assigns them, comprehends the far greatest part of *Italy*, with many adjacent Islands in the *Tyrrhen* and *Mediterranean Sea*; Neither is it consistent with Reason to imagine otherways, since the *Roman Church* was even then a well content and flourishing Church

Church and had no other constant Revenue for maintaining all the Sacred Officers thereof, than the Great and small Tithes, the other *Lucrative Casual Intrado's* by Indulgences, Dispensations &c: being not as yet hammered upon the devils Anvill.

Yet let us for once suppose (which is indeed a very absurd Imagination) that the Roman Patriarch was destitute of the benefit of Tithes till the days of *Charle-Main*, yet it is certain, that the Greek Church, had the other four Patriarchats in it, to wit, *Constantinople Alexandria, Antioch and Hierusalem*, and that all these Eastern Churches were Invested with that Ecclesiastick Garment of Tithes before the death of *Constantine* the Great, and consequently long before the end of the 4th Century; So that I cannot devise any thing to keep the Countenances of these who imagin, that the Introduction of Tithes into the Latin Church, was so late as the days of *Charles* the Great, than to say that *Constantine* was so ambitious to have the Old *Byzantium* to become *Nova Roma*, that he quite forgot the old *Rome*, notwithstanding, that his great Empire extended to both: but if we consider the great Care of that great Emperor to enrich all the Churches within his dominions, (which a blind Bayard like to *Milton* thought too too great) whatever our Author with his vouchers, whether Bishops or Lawyers, may think or write in the Case, to averr that *Pepin* begun, and *Charles* the Great settled the payment of Tithes, and other Princes generally followed their Example, is in my humble Judgment a Complex proposition no less absurd, than if an Ignorant Historian should confidently assert, that *Alexander* the Great learned his great Courage and Conduct in War from the Example of the Great *Julius Caesar*, tho it is most certain, that *Alexander* lived about 300 years before that great Dictator.

But our Author himself (If he could have made the right use of it) might from his own concessions, have afforded a more true and pertinent account of it, viz. that *Charles Martel* the great Major Domo to *Chilperick* the 5th and last of the *Merovingian* Race, (of which Royal Cipher he used to say, *Noluit regnare, Sed Regibus Imperare*) having borrowed the Use of the Tithes, from the Clergy of *France* (to give it no worse title, tho' the dream of *Eucherius* imports no less than Robbery) if that loan had come Laughing home (according to the Scots proverb) it should not have been accounted

accounted a *Rapin*; for Necessity hath no law, and great was the Necessity of the *Gallican State* at that time, for the Moors from *Spain*, whose 12 Kingdoms they had almost totally subdued, with a Considerable part of *France*, which formerly belonged to the *Goths*, these *Moors* I say with three hundred thousand men at least, did break in like a flood upon the South part of *France*, and were come almost the length of the *Loir*, and in all probability, would have overrun all *France*, if that most Martial Prince (for his Surname *Martel* did import no less) had not seasonably interposed at the City of *Toures*, and by a Notable victory, which the Lord of Hosts gave him, he rescued both the Clergy and Laity of *France* out of the Jaws of those cruel Infidels; but the Church found it a matter of difficulty to pull those Ecclesiastick Morfels out of the Mouths of his Men of War who were ready to say (as did *William Rufus* about 400 years afterwards) that Gods Bread was sweet. Therefore it cost the Son of *Martel* some pains and his Grand child too, (I mean *Pepin* and *Charles the Great*) to cause the Heirs of those Sons of *Mars*, to disgorge those sweet Morfels: and this is all we are to understand of that so much celebrated exemplary zeal of the Father and Son by our Author and his Bishop.

The Author hath not yet done with the matter of *Tithes* (& consequently nor his Observator) for there remain some doughty (I had almost said Naughty) Arguments against that Antient patrimony of the Church, which in all Civilized dominions of Christian Princes, were never contraverted till the Reformation, unless by some hairbrained hereticks, who were never governed either by Religion or Reason: but since we promised at the Beginning, to follow our Author *κατά πόνον*, there are Some Intermediat mistakes, which I shall briefly Notice, and then return to the great subject Matter of this Book.

Page 230. He observes there (out of a much better Antiquary than himself) that there is no Mention in the Charters before *K. Davids* time, of *Parsons* (not persona) and *Vicarius* &c. It should have been expressed, that this *K. David* was *K. David the 1st.* (alias *St. David*) lest some *Ignoramus* take it for *David Bruce*.

Page. 231. And in diverse other pages) Our author tells us, that the payment of *Tithes* in *Scotland* was settled with this Oppo-
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sition and reluctancy, that the Bishop of *Orkney* lost his life in the Quarrel: and in another place he tells us, that the Name of that Massacred Bishop was *Adam*, but I must tell him, that he need not have crossed the *Pentland Frith* to find that Murdered Bishop, since it was not *Orkney* but *Caithness*, which was the Scene of that Tragedy; and from that fore-thought Felony to infer the reluctancy of the People of *Scotland*, to pay their Tithes, he might as well conclude their averseness to pay Ministers Stipends, if a Stipendiary Presbyterian were Murdered by a crew of Barbarous Villans, because he made use of Letters of Horning and Poinding against Deficients. But least an Ingenious Reader should imagine that our Historian had some complacencie in that repeated Narrative, it had been fit to have subjoined, some time or other how condignly *Alexander I.* punished that Barbarous Assassination, if we believe our Historians, which was so severe, that no doubt our Author would have said, *excessit medicina modum*, &c.

Page 232. It is there told us, that Pope *Urban* the II. gave to *Peter of Arragon* and his Souldiers, the Tithes of all the Lands he should Recover from the *Saracens*; but least any apprehend the Popes Bulls to be more Monstruous than they are, it should have been told, that the design of the said King of *Arragon* was against those *Saracens*, who had Usurped both Stock and Tiend from Christians, who had been the former Legitimate possessors of those Lands.

Page 234. There, it is Written, I. That the Emperour *Charles V.* in the year 1530 dealt and prevailed with them (i. e. the Hospitallers or Knights of *St. John*) to accept of the Isle of *Malta* for their Residence, &c. But it had been better worded to have said, that these Knights being driven out of *Rhodes* by *Solyman* the Magnificent, that *Charles* the Emperour did generously bestow (in spite of his great *Turkish* Rival) the famous Isle of *Malta* with some other little Ones not much distant therefrom, upon those Christian Knights, that they might not be Vagrants through *Europe* any more; Yet reserved to himself and his Heirs, as Kings of *Spain*, the *dominium directum*, without requiring any *Reddendum* for the *dominium utile*, but only a Solemn acknowledg-

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ment, that the Kings of *Spain* are their constant Superiours in respect of those Islands.

Page 241. The Author Treating of the Fatal Excision of the Knights *Templars*, he thus expresseth his Sentiments. 'Some say 'their Crimes brought destruction upon them, but whatever was the 'cause, our Authors agree, that none of these ill things laid to 'their charge were proven against them, &c. Here it might very pertinently have been told, that their great Master (who was a *French* man) when he was entering into that Fatal Fire, (wherein he and the rest of his Order who could be seized upon) were Sentenced to be burnt alive. The said Master first craved Pardon of God, and then of all his Order, for belying them in the extremity of Torment (for he was Racked till he confessed both himself and his Order Guilty of the greatest Crimes Imaginable) but there he attested the Omniscient God, that they had constrained his infirm Nature, to confess Crimes, that were never wrought nor thought by any of his Order, for ought he knew. Therefore he Summoned *Philip* called the Fair, the King of *France*, and Pope *Clement V.* to appear before the Impartial Divine Tribunal, within a twelve month (and some make it less than the half of that time) there to abide and answer for that great Injustice done by them, to him and his Order; Now all grant that both these great Men died within the year.

Page 244. Mentioning again those *Templars*, he tells us 'That 'their Vowes were not like those of the *Religieux*, for their Vow 'of Chastity did not tie them up to a single life, but implied only Continence; which might have been observed in a Married state &c. Here are two apparent Errours, to any man acquainted with History. The 1st. is, that the Vowes of the Religious were not upon them: whereas it is certain that at their admission into that Order, they behaved Solemnly to promise and Swear to Chastity, Poverty and Obedience; which are all the Vowes required in the strictest Orders of the *Roman* Church; the *Jesuits* alone (that they might appear singular,) having superadded the Oath of Mission: It is well known that the *Templars* took the same Oaths, that the *Hospitaliers* had done, for the latter were established some years before the former; and it is certain, that the Knights of *St. John*

to this very day, are bound to live continent, that is never to Marry. But this leads me up to the other mistake, Of which I confess I cannot make sense, he having so confounded Chastity and Continence; for I am sure the ordinary import of that Phrase, to *Vow Continence*, is to Swear never to Marry, and if a man make Conscience to keep that Oath, he cannot be said to be Continent in Marriage, without apparent Contradiction; and if our Author shall say, that they are only bound to Swear, that they shall live Chastly in Marriage, I cannot imagine, that he meant such Chastity as the St. *Etheldreda* practised (who if we believe venerable *Bede* in his *Ecclesiastick History*) that after being twice Married, she lived and dyed a Maid, tho' she had not the ill luck to be Married with *Euruchs*, yet 'tis most certain, that God requires conjugal Chastity, & it ought to be among all Married persons; but I must needs say, that this would be a very superfluous Oath, since the Marrimonial knot necessarily implyes in the sight of God and of his Church, that when a Man or Woman do voluntary put their heads into such a *Noose*, they instantly bind up themselves from all exotick criminal fancies, till Death give a dimission to the Party surviving; Now let us suppose a Monk or a Nun in the *Greek* or *Roman Church* to break out of their Convents in order to Marriage, and then to Justify themselves by saying, that they swear only to live Chastly, which they are resolved to do in a Married state; for all that Gloss, I am confident, they would give them no better Epithets than those they applyed to *Martin Luther* and *Catherin Bora*, viz. Irreligious Perjured Apostats.

Page 252 There our Author tells us, 'that Christian Princes to oppose the Barbarous *Huns*, *Goths* and *Vandals*, carry'ng all before them in *Europe* in *Justinians* time &c. They are ill acquainted with the *Roman History* who do not know that the *Roman Empire* after the last Fatal division of it betwixt the Sons of *Theodosius* the Great, was miserably oppressed by frequent Inundations of Barbarous Nations, and many more than are here expressed; so that even the Eastern Emperours had their hands full adoe with the *Goths* and *Vandals*, not to speak of the Western Empire, which from the Days of *Honorius*, did still pitifully decline, till it suffered

fered a total Eclipse in the time of *Augustulus*, I say the very Eastern Empire from the days of *Arcadius* Inclusive, with all his Successors, viz. *Theodosius* the younger *Marcianus*, *Leo*, *Thraex*, *Zeno*, *Anastasius* and *Justin I.* (who was Uncle to *Justinian I.*) all these undoubtedly were very much vexed and perplexed with the Barbarous Nations. but to pitch upon *Justinian* alone, that in his days they carried all before them, it is a strange *Anistoresia*, unless we understand him *per Antiphrasin*. For 'tis certain, these Barbarous Nations were never so much born down by any, no not by all the foregoing Princes, as by *Justinian* alone, if we believe *Procopius*, who hath written the History of his life, and of his Master *Belisarius* at great length: where he tells us, that by this famous Captain, *Justinian* not only subdued the *Persians* in *Asia*, but also quite extinguished the Empire of the *Vandals* in *Africa* (where they had domineered most cruelly for many years) and by the same General, did break the power of the *Goths* in *Italy* (the total ruin whereof was at last accomplished, by another Captain, the Valiant *Narses*, tho an *Eunuch*,) so that having Erected the Trophies of his Victories in all the great divisions of the World known at that time, he justly merited the Title of *Justinian the Great*; and ought to be praised to the Worlds end, for promoting by his Authority that Great Work of the *Corpus Juris Civilis*, and that by the Ministry of *Tribonianus*, *Dorotheus* and *Theophilus* (three eminent *ICs*;) who reduced 2000 Books of old Laws with 300000 Sentences, (which comprehended the Antient *Senatus Consulta*, the *Plebiscita*, the *Edicta Prætorum*, the Imperial Constitutions with the *Responsa prudentum*;) into the 50 Books of the *Digests* or *Pandects*; in which *Pandects* we may find his great concern for the privileges of the Catholick Church; and in the *Theodosian Code*, but especially in his *Novells*, we may find all the Revenues due to the Church, the Tithes being judged the most constant Spirituality thereof, established by diverse Imperial Edicts. If our Author had been a Roman Catholick, I would not have admired his depreiating this great Emperour, because (as they alledge) he held too high a hand over the Church, by subjecting forsooth their Pontif himself to his Imperial Edicts: but if they had pondered the Commentary of *St Chrysostom* on *Rom. chap. 13* with many

many others, they would have found, that Emperour did no more than his Duty, since the Bishop of *Rome* was one of his Subjects; yea some of them have maliciously charged him with Ignorance, and that so gross, as if he could neither read nor write: But this is a very ignorant mistake (if not voluntary) for *Justin* the first, his immediat Predecessor, and Uncle to *Justinian*, who was an unlettered Man, as being educated among the *Thracian Shepherds*; Yet by his personal Gallantry, did at last climb up to that Throne in the East, tho his Predecessor *Anastatius*, once designed to have tumbled him into his Grave (not his Nephew *Justinian*, to whom he gave noble Education, but was diverted from that bloody Intention, by a Night Vision, if we give Faith to some *Greek Historians*.

Pag. 279. Here our Author begins to attack that old Fort of the Patrimony of the Church (even the *jus divinum* of it) much more directly than formerly, and hath thrown such Bombs thereat, that no doubt (if we consult his own Imagination) he hath already reduced to Ashes all the *Ecclesiastical Tithes* in *Christendom*; yet before the discharge of his several sorts of Artillery (all which are charged with Law and Divinity, Philosophy and History, all of equal Solidity) he thought it fit in the first place to take to Task our learned Countrey Man, *Dr. John Forbes* of *Corss*, whose words he gives us again in this page, viz. 'A learned Divine in our own Countrey, hath gone another and shorter way to work for maintaining the Churches pretension to the *Tithes*: These being once devoted, and set apart for divine Service, (says he) the taking them away and the applying them to another use (he hath forgot to term it a common and profane use) is like what *Ananias* and *Sapphira* did with the price of the Land. He also forget to add the rest of that great Souls Argument, viz. 'That a scandalous *Ecclesiastick* may forfeit his use of them, because he never was more than an Usufructuary, but the Thing being devoted to the Church, it cannot be forfeited, so long as it continues a *Christian Church*.'

Immediately after reading the Words of our Author, I did expect a particular Confutation, (at least an attempt of it) but all the Confutation I find, is a *Remit*, *pag. 283.* of such as desire an

Answer to Dr. Forbes Argument, for leaving them to the Church, to what is advanced Patr. i. c. 5. n. 25. in which Article there is a very politick Suspension couched in the words of it, which minds me of an Answer, that the old Solon gave to young Pisistratus, who had usurped upon the free State of Athens, for which Usurpation being sharply reprov'd by that famous Law giver, who gave him no better Epithets, than an unnatural Patriot, and a detestable Tyrant, Pisistratus rejoyn'd, How dare you be so bold, wherein do you trust, that you give such base Language to him that hath the power of Life and Death in his Hands? I trust (said Solon) to my old age: But in some other parts of the World, many may be found who have not such confidence in their Gray Hairs, as to adventure upon that which may be misconstrued to be *Sandalum magnatum* (for a Fox-Ears may be mistaken for Horns) But I hope there is no danger in telling a Dream of a Countess in our Countrey, who fancied in her sleep, That she saw a great number of Monks with their Pen-Knives undermining a famous Cattle among us, which is situat upon a mighty great Rock: The Application is easie; For this *Monocha-mastic* appears to me like one of those *Coul-men* with his Pen-Knife in his Hand, nibbling at the impregnable Rock, which is the Base of Dr. Forbes Position, without the deduction of one Atome from it and without the least convulsion in his conclusion, which was this, That a Church Man once orderly invested hath as good a Right to his due proportion of the Churches Revenue, as any man can possibly have to any secular Inheritance, viz. Law and Possession. It being acknowledged by all, That the Church of Scotland was in possession of the Tithes many Centuries of years before the Reformation; and if they possels them also *jure divino* (as many good & learned Men judge, that they have made it sufficiently appear to the World) then they have a better Right, than any Secular can have, For this three-Cord is not easily broken, unless an Alexander come with Sword in Hand, to dissolve that Gordian Knot.

Pag. 276, 277, 278, 279, 280, 281, 282. 283 In all these pages our Author advances with a full Broad-side against the *jus divinum* of Tithes, and no doubt, fights as well as he can; and the great Cujacius could do no more, but it unhappily many times falls

falls out, that what some Men (from a principle of Ignorance, Vanity and Self-Love, for *sum cuique pulebrum*) account *Achillea argumenta*, yet others, less biassed, are apt to judge them, not only to be silly *Paralogismes*, but also most false and foolish. I wish'd heretofore that our Author had more seriously considered the many strong Arguments, adduced by the learned *Montague*, for the *jus divinum* of *Tithes*, viz. from the Law of God, of Nature and Nations, the Civil and Canon Law, the Municipal Laws of all civilized Christian Nations, the Sentiments of the most ancient Fathers of the Church, the Canons of Councils both Provincial and General, *Secular* and *Ecclesiastick History*, with a large account of many signal Judgments inflicted upon Sacrilegious persons almost in all Ages, even from the Days of *Cain*, &c. whereby he stopped *Seldens* Mouth for ever: and I supposed, that if any other offered to throw down the Gamlet, and to take up the Cudgels again, he should rather have attempted to answer his most rational Arguments categorically, than to appear upon the Stage with such a *Fools Coat*, I mean, such pitiful wretched Arguments. I shall only mention two or three of his Batteries against this *jus divinum* of *Tithes* (on which I suppose he lays the greatest stress) when these are seen fall to the Ground, the *Mera Nuga* & *Quisquilie* will never be more noticed, for *ex ungue Leonem*.

Pag. 280. These are his *formalia verba*, *Abraham's* payment of *Tithes* to *Melchisedec* was partly a piece of Homage to him as King of *Salem*, &c. If our Author had borrowed this strange Glots on Holy Scripture from his usual *Defator*, I should have applied that of the Poet to them both, and in his Sense too;

Egregiam vero laudem & spolia ampla refertis,

Inque Puerque tuus.

But *Selden* was never so foolish and impious to write at that Rate, in a direct Contradiction to Holy Scripture, which toucheth too nigh upon Blasphemy: For both the Prophets and Apostles were infallibly inspired in all that they taught the Church of God, and it is most certain, That the Royal Prophet, *Psal. 110*: hath expressly said, *Thou* (meaning of Christ) *art a Priest* (not King) *for ever, after the order of Melchisedec*, which words are more than once repeated by *St. Paul* in that Epistle to the *Hebrews*

(or whosoever was the *Penman* of it, for many Ages ago, it hath been acknowledged, by the Generality of the *Christian World*, to be a part of *Canonical Scripture*) I admire that our Author did not advert to it, That the greatest part of that *Epistle* is founded upon a Comparison instituted betwixt the *Melchisedecian Priesthood* (not his Royalty) and the *Aaronick*, to prove that Christ was a Priest for ever after the order of *Melchisedec*, but not after the order of *Aaron*. We read indeed once in H. Scripture, That *Moses* was King in *Jeshurun*, but *Aaron* is never stiled a K. but often Priest, and sometimes the *Saint of the Lord*: but abstracting from this Contradiction to H. Scripture, I shall presume to propose two or three *Querles* to our Author

1. Do you know what this *Melchisedec* was? (I am not enquiring concerning his Father) for if any could resolve that Scruple why he had taken up his Dwelling among the posterity of wicked *Ham*, whereas the Generality of his own posterity, had taken up their Habitations east-ward of *Euphrates*, I would be very clear to think, That it was the Patriarch *Shem* under another name, for it is certain he lived beyond that time, even to the Days of *Jacob*, it being highly probable, that *Abraham* payed *Tithes* to him as the stock of his Family, for the first-born at that time were all accounted Priests, not to speak of that Expression of the Apostle, *that the Lesser is blessed of the Greater*.

2do, Do you know where this *Salem* was situated, which gave him the Title of Royalty? I know it is the common Opinion, that it was *Hierusalem*; yet for some Reasons, that we have not leisure to express, I incline rather to think, That it was a little City so named, situated towards the South of the Sea of *Galilee*.

3tio, How know you that *Abraham* was his Subject, and consequently bound to pay him *Homage* and *Tithes*? For I am sure neither Scripture, nor any Secular History, did ever tell you any such thing; for it is certain he was not a born Subject to any King of *Canaan*, but came by Gods appointment to sojourn as a Stranger among them, and to have an ocular inspection of that Land flowing with Milk and Honey, which his most gracious God had promised to his Posterity, yea & the personal possession of it to himself in Gods own appointed time (as some very judicious Commentators

tators (who are for the blessed *Millennium*) pretend to be grounded upon Phrases they find in H. Scripture, but there is not the least insinuation in those sacred Records, that he fixed his *Tent* in any place, that was termed *Salem*.

And if the candid Reader would have my opinion of it, I am so far from thinking, That *Abraham* was a proper Vassal to any of the Kings of *Canaan*; that he was a greater Prince than the greatest of them all, at that time: did not the *Hivites* acknowledge him to be a mighty Prince among them? and *Abimelech*, King of *Gerar*, said to his Son *Isaac*, That he was much mightier than himself: For certainly these Kings at that time, were nothing else than *Royes d' Ividat*, That is, Royelets of petty Principalities, the largest of which *Toparchies* were but of a small dimension, since the 31 Kings that *Joshua* subdued on the West of *Jordan*, had not so much *Earth* in all their respective Territories, as to amount to the half of the Kingdom of *Scotland*: yea if we believe *Josephus* the Jewish Historian, *Abraham* made a greater Figure alone, than two or three of them could have done in Conjunction: For he imagined that the 360 (born in his own House) whom he armed in order to the pursuit of those 4 Rambling Kings (who by some of the Ancients are looked upon as Typical of that same number of Fathers assembled in the first General Council of *Nice*) that Author, I say, confidently avers, That these trained Servants were so many Centurions under *Abraham*, or Tribunes and Leaders of so many trained Bands for the War, call them Brigads, or Squadrons, or what you will; he had indeed reason to infer, That there was not any of those Princes of *Canaan*, that could have made such a Multitude within his own proper Bounds: But leaving that Braggadocio to a vain Jew, let us take our Measures from an infallible Standard; for H. Scripture testifies, that they were Servants born in his own House, that is, *verna* or home born Slaves, which necessarily implies, that he behoved to have many *Servi Emptiti*, that is, bought with his Money, that were the Parents of those home born slaves; and I doubt, if there was a King in all *Canaan* at that time, whose Family was so numerous and powerful, for with little aid from other Men, that renowned Father of the Faithful, defeated a

great Army, which was but lately victorious over five Kings, and destroyed their four Kings upon the Head of it.

Pag 280. His *formalia verba* are these, And as for the law concerning the payment of Tithes among the Jews, that (saith our Author) was only calculated to their particular Constitution, being a Theocracy; where the Share payed in other Nations to their King, was reserved by God in a Charter from Heaven to himself, & his immediate Officers the Priests and Levites, who had not as our Church Men the Charge of Souls, &c. Thus I have set down his *Mind verbatim*, in which words two most pitiful Errors are found to lurk, which I deem, in Charity, rather to be Sins of Ignorance, or of Inadvertencie, than pure malice.

The first is this, That the Tithes were ordained to be payed to the Tribe of *Levi*, meerly upon the account of that which our Author calls a Theocracy, which I confess is the usual Title that is given by the Ancients, to that Government of Gods ancient People, from *Moses* inclusively to the Prophet *Samuel*; but herein our Author hath been very inadvertent, in not considering, That if that kind of Government came once to be dissolved, so that a visible King should be advanced, as the Representative of the invisible God, That the Tithes payed to the Tribe of *Levi*, behoved to run in that new Channel, when they had Kings like the Nations round about them, but we find nothing of that retrieving of the Tithes to the Royal Family: for the Regulation thereof we find many express and excellent Laws in the XVII. of *Deut.* tho it is evident that the Tribe of *Levi* had a *iudicium possessivum* as to those Tithes many years before the promulgation of those Laws. And tho *K. Saul* became Tyrant enough, yet we never read of any of his sacrilegious Attempts, upon the Patrimony of the Sons of *Levi*, notwithstanding he had most unjustly and cruelly slain very many of these Priests of the Lord, who did wear a *Linnen Ephod*: As for *Jeroboam* the Son of *Nebat*, who made *Israel* to sin by his Golden Calves at *Dan* and *Bethel*, in which Idolatry, and the manner of it, there was no little of Carnal Policy, for thereby his people were not only restrained from complying again with the House of *David*, by going up thrice in the year to *Hierusalem*, but also the hearts of all covetous Worldlings were thereby gratified,

who

who are apt to prefer Self and Pelf, not only to the Priests of the Lord, but also to the true and living God himself.

I know it may be objected, That in 1. *Samuel* VIII. Ch. we read there in the Description, that *Samuel* gave the *Israelites* of their King they were seeking, That he would take the Tenth of their Seed, of their Vineyards and of their Sheep, and give them to his Servants (whether they be Priests or not) whence they infer, that the *Tithes* belong to the Kings to dispose of them as they think fit. But these Allegators should have cited the Text compleatly, wherein they will find it also expressly asserted, That their new King would take their Fields, their Vine-yards and Olive-yards, even the best of them, and give them to his Servants; which evidently imports, That both *Stock* and *Teind* would become obnoxious to the lawless Will of their new Prince. And if the Context be duly considered, it insinuates, That the prerogative would swallow up both Liberty and Property in any of the Subjects; so that there is no sober person, but may easily perceive, That here we have a description of a perfect Tyrant, and so far different from that Character given by God himself, in the XVII. Ch of *Deut.* of a just and religious King, as the *East* is from the *West*, or *Light* from *Darkness*: it being the sole Aim of the Prophet *Samuel*, by such a vile Character, to dissuade and deter that people from importuning him any more, to set a King over them in imitation of other Nations.

But notwithstanding of this apparent drift of the Prophet, there are some who have christened all the ill things he hath said of that Tyrannical prince, with the plausible Title of *jus Regium* (because God at last gave way to the importunities of that most presumptuous people) which was bouyed up by some too high flown Monarchical Men, before their late great Padron was born; yet in his hellish *Leviathan*, he hath taught them their Lesson more exactly, viz. That all the Liberties and Properties of people are at the disposal of their Prince, and even the Profession of our holy Religion it self (which, when secured by Law, is the principal property of all that are truly Religious) from which corrupted Source, the too usual Phrases, of Prerogative-Royal, Absolute-Authority, Dispensing-Power, and Obedience without Re-

Reserve, did apparently flow; but since all of such base principles, it searched to the bottom of their *Gangrene*, would be found men of an Irreligious disposition and a slavish temper, therefore I shall dismiss them with the words of Holy Scripture, *be that will be filthy let him be filthy still*, and they are in the high road of being still so, who had never so much spiritual sense in them, as to distinguish between the divine *Permission* and *Approbation*.

The 3d *equiva* to be spoken to is to be found in the close of the last Citation, viz. 'That the *Priests* and *Levites* had not as our Church-Men the Charge of Souls &c. It seems Our author hath been so much taken up with the Study of the *Corpus Juris Civilis Et Canonici*, and the *Municipal Laws* of the land (whether Statutory or Customary,) that he hath scarce found leisure to cast his Eye upon this law of *Moses*, contained at length in the *Pentateuch* & Epitomized in the last book thereof, named *Deuteronomy*. No *Cura Animarum* amongst a people, who had as much need of it, as any Nation under the Canopy of heaven? For, Notwithstanding of the Divine *Schechina* or Gods Glorious appearance both night and day in the Wilderness and his feeding them Miraculously for the space of 40 yeares, Yet they ceased not to murmur against *Moses* and their God: We have the complaint of their great Benefactor for It, *Now these ten times they tempted me and not hearkened to my voice*, that is, very often (*Numerus Certus pro incerto*) It is reported of the Famous *Socrates*, that he purposely married *Xantippe* (an Infamous Scold) only to tempt his patience, or that he might give a demonstration to the world of his Admirable Meekness, notwithstanding so much provocation. This little story hath some times put me in Mind, of the most admirable patience of the Almighty God, tho he be a sin revenging Judge, and a consuming fire to all the workers of Iniquity, yet It hath been my sentiment these diverse years bygon (with all due Reverence and Submission,) that Our God made choise of that people of *Israel*, to be his peculiar above all the Nations of the Earth, because the Omniscient knew them to be the most perverse people in the whole world, and of such an Unmalleable temper, so Ingrate, so Stubborn, so Rebellious and stiffnecked, that they would give him Occasion every day to verify before the world, that most Gracious Proclamation of his Great and Glorious Name, *The Lord*

Lord, the Lord Gracious and Mercifull, Slow to anger and ready to forgive, and who repenteth him of the Evil. &c.

I know it may be Objected, that God sent Prophets frequently among them rising up early and sending them (which phrase is often found in *H. Scripture*) that is, seasonably, diligently, and frequently, and that in Order to the Instruction of the Ignorant, the Reproof of those who had gone astray, and the Reduction of those wanderers into the paths of Righteousness and Truth. This Commission cannot be denied, but we must carefully distinguish betwixt an Ordinary and Extraordinary Calling, and consequently twixt Gods Ordinary and Extraordinary Care for his Ancient people: For when Prince, Priests and People were extraordinarily corrupted, God (*who takes no delight in the death of Sinners, but rather that they turn and live*) raised up Prophets (even to the revolted Ten Tribes, to forewarn them of Impending Judgements, and to obtest them to flee from the wrath to come, by flying to God by true and speedy Repentance: But his Ordinary care for them was, by setting a constant order of *Church Guides* among them, *viz.* the *Priests* and *Levites*, whom God appointed to be their spiritual shepherds, as may be proved from the 34 of *Ezekiel* at great length, and if a man of law hath not leisure to read a whole Chap: I hope he may be at so much pains, for his own information, as to read the 7. v. of the 2. Chapter of *Malachi* once and again.

But lest our Author should imagin, that I Judge him Singular in his Misinterpretations of Holy Scripture, I shall just now give him an account of an Observation, I have had these diverse years bygone, even long before I was Inform'd, that there was such a Person in the World, to wit, that when a Man goes out of his own Element, whether he be *Mathematician*, *Physician*, or Man of *Law*, tho he be pretty Good at his own profession, yet when he tampers with Divinity, and will needs become an Interpreter of Holy Scripture, hand over head, he is found to stumble very ill, Like One that adventures to travell in a dark Night, in an unknown way, and without a Guide; for those mind not the old *Satyr* against such fools. *Ne Sutor ultra Crepidam, & Monachus in Opide ut piscis in arido*, nor that Counsel of the Apostle of the Gentiles *Study to be quiet and do your own business &c.* I shall only give

One Instance for each of those Professions, in lieu of many, and I shall begin with our Countrey-Man Lord *Naiper* of *Marcheston*, who was a Renowned Mathematician through all *Europe* for his *Logarithmes*: but when it unhappily came in his head, to comment upon the *Apocalypse* or *Revelation* (which is such an Abstruse Subject, that *Calvin* a great Divine would never attempt it) he is found guilty of many pitifull blunders, e. g. he too confidently asserts (even contrary to the express testimony of our Saviour) that the Devils know the day of Judgement, because forsooth that hellish Legion in that *Demoniac Gadaren*, cryed out at the presence of our Saviour, *art thou come to torment us before the time?* But *Recitasse* is *Refutasse*.

I next instance Sir *Thomas Brown*, an eminent *English* Physician, who (being so young) manifested a great deal of acuteness in his *Religio medici*, & much reading in his *Enquiry into vulgar Errors*; his expounding the Word (*Angel*) in the 12. of the *Acts* of the *Apostles*, as if it signified no more than a Messenger sent from *Sr. Peter*, (because the Word in the Original hath that general signification) is somewhat Ridiculous, as if every Messenger were bound to counterfeit his Masters Voice, for there was never any King (in his right Wits) who made it one of his Instructions to his Ambassador, to imitat the Voice of his Constituent. And yet some Divines have borrowed that light Fancy from *Dr. Brown*, in regard of their Antipathy to the Name and Office of a *Tutelary Angel*.

The last instance is of a *Spanish* *Donn*, with a very long Name, viz. *Don Diego Faxaido*, &c. who appears well acquainted with the Civil and Canon Law, but especially with the municipal constitutions of *Spain*, and that in his long advice to the King of *Spain*, who dyed last; and if his Moral & Political Instructions had been well considered and digested by his Pupil, as they ought to have been, he would never have made himself so ridiculous to the world by such a Testament, as is pretended, unless it be such a *Sham*, as was fathered on our King *James V.* when the supposed Testator was (in the most literal sense) *Mortuus mundo*: but we must not forget that the admonitions of this Tutor are interlarded with too many Citations;

tations from Holy Scripture, both misinterpreted and misapplied, as will abundantly appear to every ingenious Reader.

But let us return to our *Thraſonical* Author with his *Io Paen*, yet before we make a direct aſpect upon his *Ovation* and *Triumph*, there are two or three other abſurdities we find in our way, which are all of a piece with the former; yet the more ridiculous in the eyes of any Judicious Reader, becauſe they are not only vain boaſtings, but alſo barefaced lyes, for it was not enough for him to imagine, that he had with a *Pigmean* puff blown away the generality of the Canonists and Clergy, eſpecially the *English Divines*, who are for that *Jus Divinum*, which he oppoſeth with all his might, for I give it in his own words, which may be ſeen in *Page 276*. But it ſeems this invincible *Goliath*, thought it below him to attack ſuch ſtriplings, therefore he ſtill cries for a man to fight with, even the beſt of men, many whereof Sealed their Doctrine with their Heart Blood; and theſe are the generality of the Antient Fathers of the Church, and how he looks down upon them all, we may perceive from his own Words, which the Reader will find in his

Page 281, As for the private reasonings of *Origine*, *Ambroſe*, *Auguſtine* and ſome others of the Fathers they are of no Authority, except in ſo far as they are founded in Scripture Teſtimony Nor is it good Arguing with us, to draw certain concluſions, as to the right of *Tithes* from *Canons* of the Church &c. This undervaluing of Fathers and Councils and of all the Clergy both Antient and Modern, who have not danced after his Pipe, minds me of a Story recorded by *Plutarch* in the Life of the Great *Antigonus* King of *Syria*, that when his Son *Demetrius* was magnifying the Army of the Confederates againſt him, viz. *Seleucus*, *Ptolomy*, *Lysimachus*, and *Cassander*, all which had been great Captains alſo under *Alexander* the Great, *Antigonus* told his Son, that he would diſſipate all their Forces as eaſily as a Child could ſcatter a flock of little Birds, with throwing but a little Stone among them; but this was a Triumphing before the Victory, for before the evening of that Fatal Day, theſe little Birds became Vultures & did prey upon the heart of that too haughty Prince; for as the King of *Iſrael* ſaid, let not him who putteth on his Armour brag like him who putteth it off.

Likeways

Likeways it is apparent that our Authors vilifying all the Fathers and Councils (in the last Citation) is to nigh of Kinn, to the Common Language of *Shibboleth*, of the most Bigot Presbyterians, the Enthusiastick Anabaptists, and Brain-sick Quakers, and all under pretence of Zeal for the Holy Scripture, but in Effect for their own Wild Fancies, it being truly observed, that in all Sects (not only among Christians, but also among the Old Philo-sophers) *The greatest Bigots are usually the greatest Ignorants*, the Apostle having told us long ago, that there are many, who have a zeal, but not according to knowledge.

This Bigottry gave great advantage to the Papists, about the Beginning of the Reformation, who did not fail to lay claim to Antiquity and the primitive Church, (both as to the Doctrine and Practice) to be altogether upon their side, when they found those Zealots ready to disown the most ancient Canons of the Church (because they saw them not confirmed by exprets passages of Holy Scripture) they foolishly judging, that what was *præter Scripturam* was all one with that, which is *contra Scripturam*, till at last diverse Protestants (much more serious, judicious and learned than those *Half bends*,) did turn over these *Monumenta adoranda rubiginis*, and then found all these errors and corruptions (which are properly points of Popery) condemned either privatively or positively.

I wish our Bigot would once become such thinking Christians, as to consider seriouſly, that tho' the Almighty hath been Graciously pleased to reveal all the essentials of our Holy Religion, so clearly to us in Holy Scripture, that whosoever runs may read them, even all those things, which are necessary to be known, Believed, and practised, in order to our Salvation, and pleasing of God, I am sure if Pope Pius IV. his 12 superadded Articles to the Apostolick Creed, were brought to that Test, they would be found vile Dross and not the Gold of the Sanctuary ; Yet as to Circumstantial or Circumfundamentals which are but the Suburbs of Religion at the best, (under which many comprehend both Government and all laudable ceremonies) the infinit wisdom hath referred such matters to the wisdom and Authority of the Church and State, that all things may be done therein decently and

and in order, and to edification, for if the Authority of the Church and State cannot reach things indifferent in their own nature, they have but *Nomen sine re*, for where the light of Nature, or sound reason may serve the turn, there the Spirit of God usually interposeth not; as if there were some sense in that of the Heathen Poet, *non vacat exiguis rebus adesse jovi*.

But if our Author judges not the Primitive Fathers worthy to be regarded, either as Champions for the truth (for it is certain many of them were Confessors and Martyrs) or as Streams nigh to the Fountain head (and therefore presumed to be the purer) or finally, as Persons raised up by Divine Providence to Edify his Church, even to the end of the world, both by their great Piety and Learning; yet being a man of Law, he might have had some deference for them, as *Testes veritatis*, for I suppose it is *Nomen juris* to be *Habil Witnesses*, *omni exceptione majores*, and such were the Fathers, as to the time wherein they lived, even *Oculati & Auriti Testes* in matters of fact, that is, what was generally taught and practised in the Catholick Church and owned by all the Orthodox, all their days; and if there be any now so brain sick, as to pretend, that he knows those concerns of the Primitive Church, as well (or better) than the Primitive Fathers who were Ear and Eye Witnesses to all the great Transactions of their own times, he must undoubtedly pretend to Revelation for such wonderful discoveries, otherways he must be making a *Bedlam House*: but if he confidently averr, that he is inspired with such Truths, his Miracles should be called for; for till they be produced, we are not bound to believe him.

But seeing our Author hath put the Canons of Councils in that same bottom with the Fathers, or to say better, he according to his pith, hath thrust them all (with their Authority) into a bottomless Boat to sink for ever, for him: I am concerned to speak a little for the vindication of the Authority of the *Councils*. Till it pleased God to make *Constantine* the Great the happy instrument of retrieving *Halcyonian* days to his storm beaten Vessel by ten persecuting Emperours, the Catholick Church was never blessed with a General Council, or OEcumenical Synod, as others term it, (for I am not to speak of that Assembly of the Apostles and

Elders at *Hierusalem*, mentioned in the 15 Ch. of the *Acts*, (to which some also give the Name of a *General Council*) yet before that first General Council assembled at *Nice*, by the Authority of the said *Constantine* there were several Provincial Councils both in *Europe*, *Asia* and *Africa*, to whose Canons all good Christians within their respective Precincts were ready to submit, by acknowledging their Spiritual Authority over them, tho' these Canons were so far from being Seconded by the Civil Sanction, that many who did make them, were persecuted to Death for presuming to Assemble without their Authority; yet diverse of the Provincial Synods were afterwards adopted by some General Councils; so that they not only helped to fill the Title of the *Code of the Universal Church*, but also became Obligatory to the *Catholic Church*, as were the Canons of those OEcumenical Synods which had adopted them.

Now in regard there are some in the World who profess a great veneration for General Councils, yet are apt to vilify all National and Provincial Synods (for these are usually Synonymous terms as to the nature of the Council) I must tell them an undoubted Truth, tho' it first may appear a great Paradox, that a National Council Canonically Assembled, hath Intensively more Intrinsick Authority than a general Council, for suppose the due Representatives of a National Church be called for to Assemble in an OEcumenical Synod by those who have the power of Convention (as it was in the time of the Christian *Roman Emperours*) yet if none be sent from a National Church, the Canons of that Council do not oblige the absent Church, because they had not any Representative there: for all National Churches are Coordinat. but if all those who ought to be Called to a National Council be regularly warned to come; suppose some come not, yet the Canons of that National Assembly oblige all the Simple and Organical Members of that Church, in regard of their Subordination to Church and State, and consequently tho' they were not personally present, are judged to have been legally present, and to have given their consent to those Canons, which are become Laws to them, how soon they are ratified by the Supreme Civil Authority; Yet this preeminence of a National Council above a General (for its want of Representatives) hath been many times
sup.

supplied, by a posteriour Homologation, for when a National Council rightly constitute, doth solemnly and orderly accept of such a General Council by acknowledging a due Subordination to a l the Canons thereof, this becomes equivalent to the sending of Delegates in due time thereunto, and their giving their Suffrages *viva voce* to all those Canons : But for all that I have written in favours of Councils, I suppose it shall not persuade our Author to joyn Issue with Gregory the Great who usually said, that he accepted of the four General Councils that were first in Order, *velut quatuor Evangelia*, for many judge (who were never judged undervaluers of Councils) that in this Expression, he went a Note too high, even a Note above *Ela*.

Yet before we come to notice the Trophees, which our Author hath erected upon his Imaginary Victory over all the Abettors of that Antient Patrimony of the Church, there are some of his Sandy Foundations which lye in our way thereunto, that ought to be noticed, which the Candid Reader will find in Page 281 where it is said, 'few or no Tithes are payed to the Church in *Italy*. and in Page 282, 'as few Tithes are payed in *Spain*. &c. Whereas a Rational man may soon discover the falsehood of those two propositions, it being very ridiculous to imagine, that such an Imperious Mistress as the Church of *Rome* (even the most masterfull that ever was in the Christian world) should have suffered themselves to be despoiled of that most antient Patrimony, which they possessed since the days of *Constantine* the Great, I mean the *Spirituality* of that Churches Revenue, which was never controverted, tho many did justly question its *Temporality* from such a Date : and it is well enough known, that our Reformation never prevailed there, and without all peradventure, their Clergy would have looked upon the Robbing of their Patrimony, as the greatest deformation that could befall them.

Yea it is very Observable, that our Author stumbles upon this Error, without the Authority of his great Consulter, I mean that Episcopal Voucher, whom he Cites too often, for if he had heard any such thing, or but the least Insinuation thereof, I doubt not but in that account of his Travels through a great part of *Italy*, it would have been put in the same Budget, where
these

these unaccountable Romances were laid up, which gave such scandal to the Orthodox, that many were ready to deem him an Emfary of the *Socini*, either Uncle or Nephew : For it would have past with our Author for very good Coyn, in conformity to the old Scots Proverb, *Travellers have leave to lie* : but out of his most copious Fancy, this patron hath made some amends to his credulous Client, by furnishing him with a new Topick concerning *Spain* (tho this Dictator never set his Foot there in all his Wanderings) That few *Tithes* are payed in *Spain*, which is almost as irrational, as the former, there not being any Kingdom in *Europe*, where the Clergy are better provided than in *Spain*, and upon the old foundation of the Churches *patrimony*; For the Arch-Bishop of *Toledo* hath a greater Revenue than any *Prelate* in the *Christian World*, the Bishop of *Rome* allenarly excepted, and that only since that *See* was so greatly enriched by *Pepin*, *Charlemayne*, and the Countess *Mathilda*; for the Donation of *Constantine* the Great is now generally acknowledged to be but a splendid Fable : I shall shut up this point with a little admiration, That our Author should lay such stress upon the bare Authority of such a *Prelate*, as to believe him with implicit Faith, when he writes such absurdities, for which I cannot imagine any Reason, unless he hath thereby verified the old Maxim *Facile credimus quæ fieri volumus*: Or perhaps he hath perceived in his Dictator some Tinctures of *True Blue*, which hath inclined him to such a latitudinarian Faith, for *similes habent labra lactucas*, and Birds of one Feather flock together: But at last I come to his direct *Io Pæan* which is to be found in

Pag. 283. *The divine Right of Tithes being sufficiently confuted. &c.* These are indeed *sesquipedalia verba*. produced with a great deal of confidence (I had almost said *Impudence*) for they are certainly Relative to the Antecedaneous Discourse concerning that *jus divinum* of *Tithes*, so that by the Figure *Meiosis* much more is here understood than is expressed; as if he had said expressly, Notwithstanding of all the great Abettors of the *jus divinum* of *Tithes*, I mean, the Primitive Fathers, General & Provincial Councils, all the Canonists and all the Clergy of the Church of *England*; yet I have erected the Trophees of my Victory over them

them all, and have led them all conjunctly Captives after my Triumphant Chariot. Just about an hundred years ago, some Infernal Incendiaries had a design to have blown up (almost the height of our Atmosphere) all the States of a Kingdom by an invincible stroak, and certainly there is some Analogy thereunto in our Authors bold attempt, even to have undermined all at once, the most ancient Patrimony of the visible Church, with the principal Organical Members thereof, and not only to have designed it, but to glory that it is effectuated : But if our Author take Scandal at the Comparison of *Fauxe's* dark Lantern (tho I am convinced that he hath failed pitifully in the Attempt) yet I am very clear to appropriate a part of *Phaeton's* Epitaph to this great Undertaker ; *Et si non potuit magnis tamen excidit ausis.*

It is a common Observation, That a Spectator (not interieur to the Levell of the Actors) may see more in a Game, than they usually do, because less biassed by pride and passion, vanity or interest ; Therefore that our Author may not triumph any more before Victory, nor any other vaunt in his behalf, I shall briefly point at some relevant Reasons (as I suppose) wherefore it may be concluded, That he hath all along been building Castles in the Air, and that his imaginary Confutation of his great Antagonists, amounts to no more than that method of Debellation taken by an ignorant Zealot, against that great Champion of the Roman Church, by writing upon all the Pages of that voluminous Author, *mentiris Bellarmine*, &c.

And first, Let the candid Reader consider, That in all the arguings of our Author against *Tubes*, there is nothing adduced by him against the *jus divinum*, but what is a meer *crambe recolla* (as the old Scots proverb hath it) *A new Tout out of an old Horn* ; for all these trifling Arguments have been more frequently exposed and baffled by the *English Divines*, than our Author hath *Fingers* and *Toes* : and lest he hath not been at the pains to peruse them (and that I may not *assum agere*) I shall only refer him to two of them, *viz.* *Richard Montague* and *Dr. Comber*, and if he judges the first too Prelatical, let him but once study the last, who hath not only answered all the trifling Objections, and no less silly Exceptions of the implacable Adver-

laries

faries of the Churches patrimony, and that to the full Conviction of all unbiaſſed perſons; Or (as one hath well obſerved) ſays enough to ſatisfy any Man, whom Intereſt hath not blinded. But if our Author hath the confidence to ſay, that he hath already ſeen both theſe Books and many others to the ſame purpoſe, yet he ſtill remains fixed to his own Opinion, notwithstanding of any Reaſons adduced by them againſt what he had ſaid; this minds me of the pitifull Temper; or, to ſay better, the Diſtemper) of thoſe who are obnoxious to Hypochondriack Melancholy (and it may be near to the *Lycanthropia* of *Nebuchadneſor*) That when by the dint of Reaſon, they are beat from all their Poſts, and quite ſilenced for a time, yet when that *Balneum Diaboli* comes with a new Paroxiſm upon them, they inſtantly return to their old wild Fancies and extravagant Opinions.

Yet ſince it is poſſible that our Author hath read them, but not with due Attention; or that he hath not taken up the Force of their Arguments (for *Lagere & non intelligere negligere eſt*) or finally, that as if he had drunk of the Waters of *Lethe*, he had forgot all that he had read in them: Therefore for brevities ſake, I ſhall point at one or two of the ſtrange Oblivions, in Ii.u of very many: The firſt may be found in

Pag. 280. Where we have his *formalia verba*. And Jacob's Vow was a Free will offering, not founded on any precedent Tie. Here I will once appeal to the Ingenuity of our Author (for Charity prompts me to think, That he is not guilty of ſo much Effrontery) as to declare ingenuouſly, That theſe Champions for the *jus divinum* of *Tithes*, did take notice of this trifling Exception by giving a Reply to it, but that he had forgot, what they ſaid againſt it, of which I ſhall briefly give an Account: but for the further ſatisfaction of the candid Reader, I ſhall ſhew (in few Words) how particularly *Jacob's* Vow was brought upon the Scene by them: For thus they generally argue for the *jus divinum* of *Tithes*, That God Almighty as the great Lord Paramount of Heaven and Earth, requires from all the reaſonable Creatures of this interior World, the Seventh of their Time, and the Tenth of their Subſtance (if they can poſſibly ſpare it, for neceſſity hath no Law) to be payed by way of Homage, to him who

is the Giver of all Good, & who might have required much more *Tribute* from those who live and move and have their Being in his Blessed Self: That the morality of their Homage is one of the primary Dictates of the Law of Nature, is granted by all who cordially believe, that there is a God who governs the World and will one day be its Judge; but as for the *Quota* of that *Tribute*, the same was determined by divine *Revelation*, which was no less early than the Creation of Man; for it is to that *Era*, That the most judicious Philologues, usually trace that Traditional Law.

That the immediat Sons of *Adam*, *Cain* and *Abel*, were taught by their Father, to make Oblations to God, of the several products of their respective Employments, (*viz.* *Cain* of the Fruits of the Ground, and *Abel* of his Flocks) and that God had a respect to *Abels* Offering, but not to *Cains* is acknowledged by all, for we have express Scripture for it: but there is a Tradition among the Jewish Rabbies, that *Cain* having not been found faithful as to the *Quota*, which *Adam* from God had told him of, That the Almighty should have thus reprov'd that first Murderer in the World, *non bene offers, quia non recte dividis*. But since we have no true History, save Scripture alone, concerning the old World, how soon the same was overflowed with a Deluge of Water, for that great inundation of Wickedness, that was generally found therein (the old *Giganti-Villanes* being so habituated to Violence, that they were too prone to rob both God and Man) therefore how soon the new World began to be Replenished with the Sons of *Noah*, that Preacher of Righteousness did inculcat to them, that old Traditional Law concerning the Consecration of the Tenth of their Substance unto God.

So that unless we disbelieve all humane History, that point of *Devotion* (which had been too much neglected by the graceless *Antedeluvians*) was very early revived in the new World, and continued not only amongst the Posterity of *Shem* (to which Family the true visible Church was confined for many Centuries of Years, as Gods peculiar) but also among the Successors of *Japhet* and *Cham*, even after they were become guilty of gross Idolatry and Polytheism; for our great Antiquaries have produced

a Cloud of Witnesses to prove the same from the most famous *Pagan Historiographers*, both among the *Greeks* and *Romans*, which two Titles comprehend all the known civilized Nations in the VWorld, as contradistinguished from the *Barbarians* and *Jews*: But we have not leisure to give more than one of their Instances, and that is of the *Phœnician Nation*, and particularly of their famous capital City named *Tyre*: For they make it appear from the old *Histories* and old *Monuments* thereof, That both their *Souldiers* and *Merchants* payed *Tithes* of all their *Profits*, not to their Kings (tho they had them very anciently) but to their imaginary Gods, and that long before the *Israelites* became their Neighbours, or before the being of any *Israelite* in the World, for they cannot be presumed to have had Existence before the days of the Patriarch *Jacob*.

Hence they infer, That no rational Man (unless he be too captious an *Antidecimator*) will have the Forehead to say any more, That the Ceremonial Law given to the *Jews*, was the genuine parent of this Traditional Law given to the world concerning *Tithes*, and that other Nations borrowed that Custom from the *Jews*; as if our Missionaries in *China* should tell the Natives, That they had the use of *Guns* and *Printing* from the Invention of the *Europeans*, tho it is certain they had been in possession of them some thousands of years before they were known to *Europe*: But who can doubt of the derivation of this ancient Law to the Religious Successors of the two greatest Monarchs that ever were in the world, I mean *Adam* and *Noah*, since we have such clear Evidence for it in Holy Scripture, viz. from the practice of that great Patriarch *Abraham* his paying *Tithes* to *Melchisedeck* the Priest of the most high God, and that not of the Spoils (as some pretend) For he swears he had not touch'd any thing of it, but of all, i. e. all his own Possessions. And that this payment was made to *Melchisedeck* under the Notion of a *Priest*, and not of a *King*; I hope we have already given a sufficient Demonstration thereof.

Then they instance the Patriarch *Jacob's* practice, which was in conformity to his Grandfathers good Example, even of all his possessions too, as soon as God had blessed him, and given him
any

any thing to give; as we may perceive from his Vow, recorded 28. Chap. of Gen: and which was made about 300 years before the *Mosaick Law*. But this brings us back to the pitefull Reason of our Author, 'That *Jacobs* vow was a free will Offering, and not founded on any precedent tie, this he hath borrowed from his two dictators *Selden* and *Milton*, and as the latter was a Plagiary from the former, so He is from both; but not the least Notice taken of the most solid Reply, (that in my humble Judgement) the Generality of the *Tithe* Champions, have given so that trifling exception, and that in very few words, *viz* Nor doth it follow, this was not his duty, because he vowed to do it, any more, than that he was left at his liberty, Whether he would serve God or No, because he vowed, if he returned in safety, the Lord should be his God: Whence it appears, that the precarious *Linsey-Wolsey* vow, which these *Tithe* haters have devised (as partly Arbitrary and partly Necessary) is extremely Ridiculous.

Now it may be presumed if he had read any of his *Antagonists*. he could not but have found this Reply to their trifling Exception; yet *ne res quidem* of duply being found in him, hence some may tax him with dissingenuity, as if he had a design to impose upon his simple Readers, to make them believe, that there was never yet any Reply made to that Objection or Exception (call it what they will) Others more Charitable may Impute our Authors silence to Modesty, his *Non datur Ultra* being fixed at his *Hercules* pillars, For *Montague* having gagged his great Padron, it might have been deemed great presumption in him to speak, after *Selden* (his *Oracle*) was become dumb; or it is possible, he was afrayed (his fugitive *Hector* being vanished out of sight) that an *Achilles* should seize upon this succedaneous Combatant, and also drag him somewhat ignominiously about the walls of the City; but in my weak Judgment, the Poet hath determined the Controversy in few words, *viz*.

Et quia non potuit, Indeclinabile Mansit.

Having already and more than Once, taken notice of the bold attempt of our Author, to blow up a Rock of *Marble* with some little squibs of wild Fire: It is worth the while to give the Reader some Character of the *Boutefeu*s to whom he made his Application

tion. They have been already nominated, viz. *Selden*, & *Milton*, both picqued at the Court, and Enemies to the Established Church; For they were Members of that Infernal Caball, which did promote with all their might, *Schism* in the Church, and Sedition in the State; that they might rot their Eggs when both were set on fire. In which bellish design (as the devil would have it) they were but too successfull, at which time they were both very busy in writing against the patrimony of the Church, that the Organick Members thereof might be starved into a Compliancy with their wild Enthusiasticall fancies. This minds me of a Report concerning the *Jesuit Parsons*, that he was busy writing that Book Entituled a *Christian Directory*, Commonly called the *Resolution*, and in the mean time was found to be *Art & Part* in the diabolicall Gun Powder Plot (as if he had designed to blend *Celestial* and *Subterraneous* Spirits together) but since we should not belye the devil, I must needs say it, that there is more Truth and sense in it (tho' it be the product of a Jesuitical brain.) than ever I could find in all the *Antide-cimation* Books, that ever I had the ill luck to see.

But let us discourse a little severally upon those Brethren in Evil: Mr. *Selden* loved the Clergy, just as much as he did Monarchy, or to say more positively, he hated them both *Odio vatini*; but there was also a tincture of pride in it, which made him Undervalue even the Clergy of *England* (and what Clergy in the world would he have had in Reverence, if he despised the Church of *England*) but this great Superciliousness had its rise from his *Mare Clausum* which he wrote against the *Mare Liberum* of the great *Grotius*, and having acquired some Fame upon that account, he so swelled with pride, (that like the *Toad*, who would be of no less dimension than an *Ox*) he was ready to burst, till *Montague* gave him some Pills to diminish his dropsie; and tho' *Whylock* was upon the same odious *Combination* above mentioned, yet he ingenuously tells us in his Memoirs, that he would be often making Ostentation of his learning, & posing the poor *Parsons* &c. And as for *Milton* tho' he stole the Generality of his pretended arguments against the Clergy from his Brother *Selden*; yet it cannot be denied, but that he was Naturally more Elequent, but it was a *Facundia Canina*, a snailing Oratory, for this *Polyphemus* did spit venom as Natural-
ly

ly as any *Toad*, and that both against Church and State, yea he vomited out more contemptuous Reproaches against the Lords anointed, than ever a *Shimei* or a *Bradshaw* had done. It is also worth the while to enquire the Occasion of his becoming so tumult with *Pride* and *Vanity*, *Malice* and *Envy*. It was (as I am Credibly Informed) from the Intelligence he had of a Congress, betwixt that *Vagrant Queen of Sweden*, and the great Critick *Salmafus*. The Queen having read his *defensio Regia*, with *Milton's* answer thereunto, told him plainly, that she thought *Milton* had the better of him in that debate, which bitter pill so stuck in the stomach of that supercilious Critick, that he shortly afterwards died of *Melancholy*. He was but a fool to take so to heart the verdict of a Woman, suppose she had been really as great a *Virtuosa* as some (besides her self) imagined her to be; but he suffered justly for his folly, for they who Employed him to write that *Royal defence* never dream'd that he would suppose his *Royal Client* to have been a great Tyrant, but on the Contrary, he was required to vindicate that Great (but greatly afflicted) Prince, from such hellish aspersions, by demonstrating to the world that a pack of fanaticall *Scoundrels*, Unnaturall Rebels and Implacable Traitors, had conspired against the Lords Anointed, and would never accept of Reason, tho' their Sovereign was pleased again and again to stoop so low, as to offer it: And if the Ingenuous Reader would have my Opinion of the Book, I judge his Comparison the finest flight of fancy in it all: for speaking of the *Barbarous Assassination* of that great Prince, he Resembles some of the Assassins to Robbers binding a Traveller to a Tree, after they have denuded him both of his Arms, Money and Cloaths; and the other Assassins, to wild beasts that devoured him; but the application is so easy, that we need dwell no longer upon it (for this Defensor was a Presbyterian, and knew best the Affairs of his own Sect, as contradistinguished from their spurious Issue the Independents) nor shall we insist any longer on this blind Character, but only to tell the Reader that *Milton*, saw much more clearly (I mean as to his Intellectual eyes) after that *Gutta serena* seized on him, than ever he had done formerly, and that was when he wrote his *Paradyse lost*.

It is now high time to come to the other Instance we promised to give of our Authors forgetfulness; and that is to be found in Page 280. in these few words. *Tithes were clearly Ceremonial &c.* meaning that they were abrogated by the Gospel as a part of the *Jewish Ceremonies*, and to enforce this Assertion (tho it is apparently another *Crambe Recocta*, and of that same Kidney with the former, he hath adduced many little untruths to buo up a great One: in civility, they must not be termed so many Lyes for *mentiri is contra mentem ire*) for Charity prompts me to believe, that they are produced as plausible Seconds to back that which he accounts an Achillean Argument, yet with Intuition to that of that Poet.

Et si non profint singula multa juvant.

I hope we have already made it sufficiently appear, that diverse of those silly Seconds are most unworthy to appear in the field of Truth, or among any pretenders to it, especially in the case of *Abraham*, the *Theocracy*, and *Jacobs Vow*; I shall therefore briefly dispatch the rest, which are but so many beggings of the Question, and could easily confirm our confutation of them, from a multitude of pertinent Citations from the Primitive Fathers, General & Provincial Councils, Ecclesiastick & Secular History, & the latter written by many both within the Pale of the Visible Church and without it. But this having been done so Copiously & Nervously already by much better Pens, than I can pretend to, I have foreborn, lest I be judged both Tautologick and Tedious; but this Protestation is only to be understood in reference to the satisfaction of an Impartial and an Intelligent Reader, when the same is desired: as for the being at so much pains for the satisfaction of our Author, it may be justly demanded *Quorsum & cui bono?* Since such an undertaker, would have occasion enough to say (as did the *Roman* to his dull *Crow*) *Operam & impensam perdidit* For having already given such a Solemn Declaration under his hand, that he hath not the least regard to the Authority of Councils and Fathers, and that he despiseth all the learned Clergy of the Church of *England*, we have sufficient ground to infer, that suppose a mighty Cloud of these witnesses, should all at once fall upon him, and that with such a strong current too, as the *Black-Sea* flowes into the *Mediterranean*, and this into the *Atlantick Ocean*.

an, and this *Mare del nort*, into *Mare del zur*; yet this second *Atlas*, appears to have Confidence enough, to support his Castles in the Aerial Heaven, and that without the assistance of any more *Herculeses*: which minds me of the bold Answer *Henry VIII.* of *England* gave to his trembling informers, that the Pope, the Emperour and King of *France* (with many other Principalities and States) had all combined against him; to compell him to Retrieve his first Queen; This stout hearted Prince gave them no answer, but pulled out his Sword, and then said, *And I King Harry against them all*, which helps to verify that Character one of his own Poets gave him, *viz.*

*Henry the Monster King of all his Age
Wyld in his Lust, and wylder in his Rage.*

But let us again return to that Pyramid reared up by our Author (as he supposeth) in these few words. *Tithes are clearly Ceremonial.* (as for the lesser Pyramids, or mole-hills rather, about them, we shall by & by dispatch them, how soon we have blown up that confused Mass, which he Imagins, no wind nor weather can shatter, no nor the most violent blasts of *Boreas* himself.) The great pillars of Tithes would not fail to tell our Author, that they have clearly made it appear to the World, both from Sacred and human History, that the payment of the tenth part of our Substance to God (who had of his free bounty given us the stock) was ordained by an universal Law, long before any *Jewish Ceremony* was established in the World, so that, as it began not with the *Mosaick Law*, neither can it properly be said to end with it, call it a Ceremony, or Rite, or what they will.

O but saith our Author, we have no express command in the Gospel for it, till we find that, we are not bound to look upon it as our duty to pay that *Quota*: But those have told him more than once, that as the Great Legislator adopted that *Quota* by the *Jewish Law*, for the accommodation of those who served at his Altar, in Tabernacle, Temple and *Jewish Synagogues*, so that when that Ecclesiastick and Politick Body was dissolved, the same provision was continued for the necessities of the Christian Church; which is clearly insinuated by these words, *He that serves at the*

Altar must live by the Altar. There being none that are called Christians (unless they be of the same Complexion with the Brain sick Quakers) but are ready to acknowledge, that some allowance to those who serve at the Christian Altars, is of natural Right, and who should or could fix that *Quota* more equally, than God Almighty? this he had done in the case of the *Jews*, a Nation whom he choose out for examples to all the World: therefore the General Commands of Christ and his Apostles did sufficiently indicat the *Quota*, and their duty: and that thus, these General precepts of the Gospel are to be interpreted, we have sufficient Evidence from the Doctrin and practice, of the Primitive Church, as the same is handed down to us, through all immediat Ages of the Catholick Church; by which Tradition, we have received the Holy Scriptures as an intire Canon, and not sophisticated by Hereticks; so that all Christians in the Posteriour Ages were bound to look upon the Primitive Church in its Doctrin and practice, as the best Ordinary Commentary we have upon Holy Scripture, and that upon many accounts which need not be here rehearsed.

But here it is very reasonable to give our Author a Solid Christian advice (that as a Good man he may guide his affairs with discretion) and that is, not to despise the Authority of the Catholick Church any more, even in reference to Sacred matters, whether Doctrin or Discipline, Worship or Government: my meaning is not, that the United Authority both of Church and State should presume to efface the least Article which is apparently stamped with Divine Authority, (it being long agoe Notour to the Christian World, what Society of men had the irreligious impudence, to curtail one of the Gospel Sacraments, with a *Non Obstante* of Christs own Institution) but unless some Authority be allowed to the Church to determine the Circumstances and Modes of performing Religious duties, and all Christian People bound to obey all these determinations, as to matters indifferent in their own Nature, I do not see how Church Governours, or those committed to their charge can be truly said, to comply with those general precepts of the Apostle, *let all things be done decently and in order* and for edification of Gods Church.

I do not doubt, but an Ingenuous Reader will readily apprehend that by the Authority of the Church, we principally understand the

the Primitive Church (or that *Ecclesia primo primitiva* as some Phrase it) which comprehends the Apostles with all the great Luminaries of the purer Ages, as also the Doctrine and practice of the said Church derived to all posteriour Ages by a general uninterrupted Tradition, according to the excellent Rule of St. *Augustin*, *Quod universa tenet Ecclesia, nec a Concilio Generali institutum est, sed semper in Ecclesia retentum, vere Apostolicum & Catholicum est.* Or that other of *Vincentius Lyrinensis* to the same purpose, *Quod ab omnibus, quod ubique & semper &c.* so that if our Author continue *susque deque habere* all these, I must forewarn him, what is very like to befall him, (*præmonitus præmunitus*) that if it be his misfortune to be engaged in a debate with any subtle fellow of a contrary Sect to his own persuasion, he may be so baffled, for all his Law and all his Logick, that he may come at last to know by his own experience (when the want of Express Scripture is laid in his dish) what is the meaning of that Logical term *Boccardo* : and even by those whose subtilty falls infinitely short of that Sly and most cunning Sophister *Eunomius*, whom not to hear once to open his mouth, was given as a very sound advice to a Christian Emperour, lest by his fluent Tongue, he should pervert him to his own pernicious Heresy, which Counsel was in conformity to that, which was given long before to the *Roman Senat*, and that by *Cato* the Censor, that they should instantly banish from their City, the *Greek Philosopher Carneades*, lest he should corrupt their whole Youth with his too florid Eloquence.

Let us now produce our Gladiators in the Amphitheater. The first shall be an *Unconverted Jew*, a smart Companion and too zealous for the *Mosaick Law*, after the dissolution of the *Jewish OEconomy* for almost 2000 yeers: now for brevities sake. I shall amass the most part of his Queries together, *viz.* Doe not you who are Christians retain our *Moral Law*, (as it is abridged or summed up in the *Decalogue*) whatever you think of our Ceremonial or Judicial Law? and do you not acknowledge the *Moral Law* to be the very same (as to the great lines of it) with the Law of Nature, which was given to man in the state of Innocence? and that these Precepts are of eternal obligation, and consequently

unalterable? For I am ready to join Issue with that distinction; that the *Moral Law* was commanded because the subject matter of it was good, and that the *Ceremonial Law* was good, because it was Commanded; but pray you friend? how come you, to alter an unalterable Law? I mean the 4th. Command of the Decalogue; since there God expressly commands the 7th. day of the week to be observed as his Sabbath, and you have, forsooth, at your own hands changed that day to the first day of the week? I suppose our Author would answer to all these demands affirmatively, except the last, to which he Replies with this distinction, viz. that we acknowledge the 4th precept to be unalterable, as to the substance of it, because God requires the 7th. of our time, to be Consecrated to himself as long as time shall endure, but as for the Circumstance of the day, it was altered upon infinit reason, from the 7th. (which did indeed commemorat a very great work, which was that of the Creation of the World) to the first, which was to be a Solemn constant Festival, till time shall be no more, for an infinitely greater and better work, even the Contemplation of the Redemption of the World by the Resurrection of the Son of God from the Dead. I suppose our Author to have spoken at this rate, and if he disowned it, I shall obtest him in the words of the Poet

.....*Si quid novisti rectius istis
Candidus imperti, si non his utere mecum.*

Me thinks I hear the *Jew* say, ye who are Christians tax us as prodigiously obitinar, and in some things judge us too Credulous according to that of a *Roman Poet*, *Credat judæus Apella, non ego.* but on this account, I cannot be perswaded, that you believe your self, since I am informed, that you are one of those men of such narrow principles, who require an explicit Scripture Testimony for every thing, which concerns the service of God; which I cannot find in all that Book, which ye call the *New Testament* or Gospel of our Lord and Saviour Jesus Christ; I do indeed read there of some privat meetings of some Christians, in the Infancy of your Church, on the first day of the week, which no more imports an abrogation of that Law, which established the
7th.

7th day to be the *Sabbath*, than our King *Hezekia* his solemnizing the *Passover* on the 14th day of the second Month, did imply a design to abolish the *Institution*, it being only done upon the account of the *legal Impurity* of *Priests* and *People* : therefore it is written, That God hearkned to *Hezekia* (when he prayed for them) and healed the *People*: Our Lord God having told us, *that he will have Mercy and not Sacrifice* (for necessity hath no Law) so that it is very probable your Primitive Christians were under some necessity of shunning our *Sabbath-day*, to cut off occasion, from their implacable *Enemies* of seizing on them, at such a well known time of publick Meetings for divine Worship; Our *Sabbath* being so well known at *Rome* it self, that all Christians were banished therefrom, under the Notion of *Jews*, in the days of the Emperour *Claudius*.

This bawling *Jew* may further urge, That he is credibly informed, That in the *Eastern Christian Church*, the last day of the Week and the first too, were conjunctly observed, for a considerable time after the death of your *Saviour*, that they might be sure to sanctify a *Sabbath* to God, in one of the twain; which evidently implies, That they were not clear the old *Sabbath* was abrogated by any *divine Authority*; and I am clearly of their judgment, that they must needs be very insolent Subjects and Servants, who presume at their own hands to cancell any Law which formerly their Lord and Master had established : But as for a man of your *Principles*, for the future peace of your Mind, I would advise you so far to judaize, as to observe the Old *Sabbath*, since with a good *Conscience*, you cannot any longer keep the New, and that for want of a clear *Precept* in your *Gospel* for the abrogation of the seventh day, and for observation of the first.

Thus we have done with the petulant *Jew*, and I perceive the *Author* and his *Observer* must split at this last *Charge*. I hope any judicial Reader may find a sufficient *Answer* to this *Libel* from the *Contents* of that *Paragraph*, which immediately preceeds the *Introduction* of this first *Gladiator*, but where one of our *Authors Principles* will find his *Letters of Exculpations*. (to use one of his *legal Terms*) I must needs con-

less, That I cannot divine; but me fears he would be so *non plus*, that he would be to seek, & I am sure he will never find it in H. *Scripture*, and charitably believe, That he does not pretend to a *Bible* of another Make, than his *Christian Neighbours* are happily blessed withal.

The next that enters the Lists is an *Anabaptist*; not such a blind and boisterous *Enthusiastick* as Th. *Munster*, *Jahn* of *Loiden*, or *Knipperdoling*, but one who appears sober, somewhat judicious & orthodox as to all the other Tenents of the *Catholick Church*; but only quarrells at *Pado-baptisme*. This *Gun* made a much greater noise, during our unhappy intestine Wars (which are termed *Civil* ironically) and it is no wonder, since both Church and State were turned *Topsie Turvie* by a multitude of *Sectaries*, but when it pleased the God of Order to put an end to our Confusions, the *Bolts* of those (which as the Proverb hath it, were soon shot) were reverberated so powerfully by much stronger hands, that it may be truly said, The Efforts of those Shafts are yet sticking in the *Sectarians* Throats. But let us suppose this Aggressor to speak at this rate to our Author. Do you not read in the *Old Testament* (& that oftner than once) how God expressly commands the *Infants* of his ancient *peop'e* to be circumcised on the 8th Day precisely after their Birth (that a *Sabbath* might still intervene, as it were to sanctify that sacred *Action*) but where find you any *Precept* for baptizing *Infants* of *Christians* in all the *Gospel*, or any instance that they were baptized during their *Nonage*? as for what we read of a *Man* being baptized, with all his *Houſhold*; it infers only, That may be a *Child* was a *Member* of that *Houſhold*, but a *may be* and a *may not be*, tho they be opposite Terms, yet they are founded on the same uncertainty; yea, there may be a *Family*, where there was never a *Child*, providing there be *Servants* enough in it, as may appear from the Latin words *Famulus* & *Familia*.

But *ex hypothesi*, That the *Anabaptist* comes up more close to our Author, as speaking thus to him, That tho he is pleased to debate with him on such a head, to give a *Specimen ingenii*, and that he can argue *pro* and *con*, yet he is persuaded, that he is a *Genuin Member* of their Church, since he is informed that he will

own nothing in sacred Matters, unless it have an express *Scripture Testimony*; but how handfomly a Man of such principles will get that *Claim* disowned, I must remit it to himself, to advise upon it, and how he will shun another Inconvenience, which his *Antagonist* may possibly start to him.

The Case is this. It is one of the common Arguments or Reasons against that foolish Opinion of the *Anabaptists* (which wants not its own *weight*) that it is unaccountable, that the Grace of God should be more straitned under the *Gospel*, than under the *Law*: For all who understand the terms of the *Gospel* aright, are apt to conclude, that it is much more enlarged, which restraining of the Divine Grace according to the *Anabaptistical Opinion*, is thus proved; Circumcision is a Seal of the Righteousness of Faith (if we believe the *Apostle*) and consequently a Seal of the new Covenant; No Christian denies Baptism to be the same, and much more evident than the other; and hence we may infer, That Gods Grace is restrained under the *Gospel*, more than under the *Law*, if God will not permit the Children of Christian Parents to receive that Seal of the Covenant of Grace, or of the Righteousness of Faith, till they can make a Confession of their own Faith, and yet God allowed the Children of the *Jews* to receive the Sacramental Seal of Circumcision in their earliest Infancy.

Let us now give a brief account of that Inconveniency hinted at, if our Author should improve this Argument against his *Anabaptist*, for that settary may turn the Canon upon himself, *Retorquendo Argumentum*, (as they say in the Schools) By demanding of him, what answer he can give to that Topick, when it is made use of against those who deny the *jus divinum* of Tithes, of which number he is justly accounted one (as having written a Book against it) for they who are for it, Argue in the self same terms, as to the straitning of Gods bounty in reference to the Christian Church, when compared with those of the *Law*, whom God provided abundantly for, with a particular designation, of the *Quota* of what should be their constant yearly Revenue, and since our Saviour and his Apostles were pleased to Order the Christian Church in General terms only, to afford

necessary and honourable maintenance for all the Organical members of his visible Church, it is unaccountable (to use your own Phrase in an other case) that Gods Grace should be more straitened to them under the Gospel, but rather much more enlarged; especially when it is considered, that the Sons of Aaron never received such Noble Priviledges and powers as Christ hath explicitly promised to those that Minister about holy things in the Christian Church, viz. *He who despiseth you despiseth me &c. I will give to you the Keys of the Kingdom of Heaven, whatsoever ye shall bind in Earth shall be bound in Heaven, and what ye shall loose on Earth shall be loosed in Heaven,* which (by the Popes leave) belonged to all the rest of the Apostles as well as to St. Peter, and to all those whom God called to Succeed them in the Government of his Church: as also do the the rest of those most wonderful promises, *As my Father hath sent me, so send I you. Whose Sins yee remitt they shall be remitted, and whose Sins ye retain, they shall be retained. And lo I am with you always even to the end of the World.*

The 3d. that mounted this Stage (and for his fat Paunch had enough adoe to reach the top of it) was an Epicure, tho' called a Christian, yet liker to the Pagan *Apicius*, or the Rich Glutton, whose God was his belly, whose Glory was his shame, and who minded earthly things; yet he had some natural acuteness, the same being many times enspirited by a very evil spirit, and thus he accosted our Author. What think you of those Religious Publick Fasts (as they are termed) Do you judge your self bound to mercerat your Body, meerly upon the pretended Authority, either of Church or State? for I suppose a man of your known principles, will be ready to say, by what Authority make ye such Proclamations? and who gave you this Authority, since we have no express command in all the Gospel, either for privat or publick Fasts; therefore we are not bound in Conscience to comply with their Orders, tho' tendered to us under the pretext of Religion; for it was never accounted an essential part of the Divine Worship, (if we believe our most Judicious Casuists) tho' it be said by the Evangelist, that the Prophetess *Anna* served God in the Temple with Fasting
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and Prayer ; therefore as it is said, of the knowledge of Languages, that they are not learning, but a good help to learning, so they infer, that Fasting is at the best, but a good help to devotion, because naturally (or preternaturally) a gross belly makes a gross understanding, and a Crass Devotion; but a very temperate man cannot be supposed to need this Primitive Fast, either for Devotion or Mortification, lest he find by experience, that *Lipotomie* or to be ready to be faint through meer hunger or abstinence, is also prejudicial to both those designs.

Now let us suppose our Author to mind his Antagonist of the 6. of St. *Mat.* Gospel, where our Saviour mentions three Religious duties, *viz.* Alms-giving, Prayer and Fasting, prescribes Rules to his Disciples, whereby the intention of the performer, may be so purified, as that the same may become an acceptable sacrifice to Heaven, and whereas the two that are first in Order, are unquestionably Moral Duties, and as frequently enjoined in the Gospel as any whatsoever ; as for the 3^d, which is concerning Fasting, tho' it be not expressly recommended in the Gospel as a Christian Duty, yet it is a *Postulatum* with our Saviour, who takes it for granted, that the Generality of his Hearers being of the *Jewish* Nation, they knew very well, that the same had been frequently enjoined by their Legislator, under the Law, and that not only privat and Solemn Religious Fasts were in use among Gods own People, but also among the Gentiles, they being taught by the very light of nature, that Penitent Fasting and Prayer were the best expedients, they could use to persuade a Gracious Deity to avert the imminent, or to remove the present Judgements of God upon them, for which we need no other evidence, than the deportment of the *Ninivites* recorded by the Prophet *Jonah*.

It is possible that an Epicurean Disputant might resemble the Eastern Emperour named *Zeno*, who tho' very Luxurious, yet was very liberal to the Poor (for a vicious person is incapable of the Grace of Charity in *sensu composito*) therefore this Antagonist immediatly becomes an Advocat for the Church, and thus reproves our Author ; It ill becomes you to make use of that Topick in the matter of fasting, since you have

already spurned at it in another Case, which I suppose was as pertinently adduced by those who maintain the *Jus Divinum* of Tithes. For you cannot be so shameless as to deny, that our Saviour and his Apostles, did much more frequently recommend to the Church the honest maintenance of their Clergy, than a Religious Fast, and have told you, that we should look upon the Silence of our Saviour and his Apostles, as to the *quota* of that provision; the Christian People were bound both by the Law of God and nature to exhibit to those who had the honour to be the mouth of God to them by Preaching, and the mouth of the people to God, in their prayers; therefore I say, the *Quota* was a *Postulatum*; and taken for granted, that what the same Legislator had appointed under the Law, should continue under the Gospel, which proportion was in use among the *Jews*, at the very time, that general precept was given to the Christian Church, and practised much more, than a thousand years before our Saviours Incarnation; and a thing practicable among the *Gentiles*, before that kind of Government (you call a *Theocracie*) was established among the *Israelits*; or to speak more plainly, before their Law was given upon *Mount Sinai*; and that ether by the light of Nature, or by vertue of a Traditionary Law, from the beginning of the World; Now how our Author will answer this Parallel case, I cannot tell, and I doubt very much if he can do it himself.

The 4th Who abruptly & very unmannerly ascended the *Theatre* (as if he had but New broke loose from a *Bedlam* house) was soon known to be a *Quaker*; such a Ridiculous Sect, that (as One said well) the Devil behaved to be dotting in his old age when he brotched a *farrago* of such foolish errors, so that it may be Justly applyed to them, what was said long ago of that wild Sect of the *Manicheans*, that they were but halt Christians at the best, yea in my humble Opinion that *Demi-title* is too good for them, who are such Blasphemers (not to speak of any other of their wild Fancies) as to deny and deride the Blessed Sacraments of the Gospell under the Notion of Beggarly Elements, there being not so much sence amongst them all, as to distinguish betwixt the Jewish Ceremonies, that were abolished by the death of Christ,
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and those Rites, which were Instituted by our Saviour for the behoof of the Christian Church, and appointed by our Great Legislator, to continue therein, till he came again the second time to Judge the whole world. Yet supposing this New Coined Secretary to have some little Reading, (for his Insolent Confidence we need not doubt) therefore he very briskly assaults our Author with the following words, *Friend, I have hear'd of thee, that thou art such a strait laced Christian, that thy Conscience will not admit any thing in the service of God, for which thou finds not a clear testimony in H. Scripture, I believe thou esteems Baptism and the Lords Supper (as ye call them) Considerable Ingredients in your Religious services. now you have some Modes and Circumstances in the Administration of them, for which I cannot find the least vestige of any practice in the Gospel for them, far less any express precept for the Observation of them.*

I shall begin with your *Water Baptism*, I pray you, where find you any precept or any practice in the whole *New Testament* for that kind of baptizing, which you call *Sprinkling* a little of your Consecrated Element on the forehead of the Child, Yee are apt to tell us, that all Christians are bound to follow Christs example in every thing, in so far as it is imitable, but it is certain, that our Saviours own experience of it, if it be not contrary, is at least a vast *disparatum* (as yee say in your Schools) from your ordinary practice; for his own S. Body was Baptized by way of Plunging or dipping, as is clearly Intimated, by his descending and ascending from the River *Jordan*, this same being written concerning that *Eunuch* of great Authority under *Candace* Queen of *Ethiopia*, neither can thou give me any instance of your *Mode* in the times of the Apostles, yea *St. Paul* tells us that Plunging is much more Symbolicall, as being a lively Emblem, which represents both the Death and Resurrection of the Son of God, *buried with him in Baptism.* &c.

I know what thou art ready to say, That the Church was indulgent to those Young Ones who were born in cold Countries and in the winter season, lest by plunging them in Cold water (who were but lately born) their Natural lives should be apparently endangered; *For God will have Mercy and not Sacrifice: And Necessity*

cessity hath no Law, but in this Case, I see no Necessity at all for those who are born in these Countries where they have many hot Naturall Baths; yea in all Cold Countries, they may soon make their Artificiall Baths lukewarm for that effect: and give me leave to tell you, something out of Human history, I have read *Tacitus Annales*, and there I find, the Antient Germans (without any Sacramental Notion) did plunge their young Ones howsoon they saw the light of this World, over Head and Ears into cold Rivers, and that only in order to make them stronger Men, without the least fear of positing them out of the World again, by that piece of Pageantry; but we need not cross the Seas for instances of this nature; for the Mountaineers of Scotland afford us a Multitude of such examples; for no sooner is the Child brought forth, but by and by it is Bathed in cold water, tho' they should be at the pains to break the Ice for that purpose; which dipping is continued for many days afterwards, and whatever prejudice it may do their brains, yet the parents have a strong Imagination, that it contributes very much to the strengthening of their Joints and Nerves; yea it is observed, that how soon these Infants, are habituat to that Cold entertainment, they manifest no small complacencie in it, for *Consuetudo est altera Natura*.

I have but few words to speak at this time, Concerning The Other Sacrament; for not to mention the presence of 12 of the disciples at most, and that there was no female there, and that it was in an *Upper room*, or Upper room. nor in what Gesture the Apostles received it out of Christs hand, (whether Standing, Leaning or Kneeling) tho' I confess if I did own that Sacrament as you do, to be the most Solemn, the most Sublime, the Most Myste-
rious and Usefull part of Christian devotion, I would think, it should be received in a humble posture, for as one of your Great Divines used to say (even *Richard Baxter* by name) that there is not any Malefactor who would think it below him, to receive a Remission from his Prince upon his knees, if he were found guilty of any Capital Crime: but my present Objection is Obvious to the meanest capacity, even to any that can read the Scripture where they will find, that Our Saviour did celebrate that Mystery immediately after Supper, yea after two Suppers, I mean the Ordinary
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and that extraordinary, called the Passover; yet by the Canons of Councils, ye are ordained to take it in the Morning *Virgine Saliva*, that is, fasting, which all sober persons among you do always profess a readiness to obey, judging it very reasonable that spiritual food should have the preeminence from Temporal, but how to reconcile that alteration of time, with your principles, I do not know, and believe none for me; Here thou seest I have given thee two great Bones to Gnaw upon, & when I am informed, that thou has digested them into any tolerable sense, I shall again see thee, but now fare thou well.

The 5th. that ascended the Theatre (much more demurely than the former) was a known *Independent*, who supposing our Author to be a Presbyterian and *True Blue* too, did thus accost him. We did formerly sail in that same bottom, steering an equal course against all *Diotrepheses* who love to have the preeminence in the Church, and to Lord it over their Brethren, upon which account we were Nick-named the *Spawn* and *Genuine* Issue of the Presbyterians. Neither was it only in fighting for a Parity in the Church, that we symbolized; but also in One exposition of that passage of Holy Scripture, *whatsoever is not of Faith is Sin*; you need not be told who these laxe Casuists are, who talk of things done *prater Scripturam* & *contra Scripturam*; as if it were enough for quieting of a Christians Conscience, to be convinced, that what he is to do is not repugnant to any Law of God; whereas you cannot but know, that our common gloss reduced the sense of that Scripture to a much narrower Circle, viz. that we ought to do nothing in reference to Sacred matters, without a clear testimony from the word of God; and supposing you to be yet of the same principle with us, as to that particular; therefore I desire to be informed, what you can say for your Doctrine of Classes: I am not requiring any Classical human Author from you, for you know it hath been the constant method of us both, to spurn at all such Cob-web Authorities; but it is some clear place, in Holy Scripture, where I may find that Subordination of Classes (of which you talk so much) once established; I mean your Kirk Sessions, your Presbyteries, your Synods or Provincial Assemblies, as also your General Assemblies.

blies which ye make your *Dernier Resort*, by which I understand a National Council: as for that meeting, which is termed an OEcumenical Synod, or a General Council of the whole Clergy of the Visible Church; I mean, Delegates from every National Church to be the Representatives in that Catholick Assembly, I know you cannot pretend to that, till all the Christian Churches in the world become Presbyterian, which neither you nor I will live to see.

But I beseech you, make not your self Ridiculous by pretending, that our Saviour established this Subordination of Classes in his excellent Sermon on the Mount (which a Moral Gospeller would have termed the best abstract of true Christian Philosophy that ever was spoken or written) because he hath a threefold gradation in the 5th chap. of *St. Math.* but I cannot deny (what great Criticks have clearly evinced) that our Saviour makes a direct allusion there to the three civil and criminal Judicatories, that for a long time had been in use among the *Jews*; the lesser consisting only of three Members; the Greater, of twenty three; and the greatest of all, of seventy two, which was their great *Sanedrim*: but by all means I advise you, to beware of pretending to find your Subordination of Classes in that established Order among the *Jews*, viz. *Aarons* being the High Priest, to whom the rest of the Priests were Subordinat, (and so to all the first born of the Family, so long as that OEconomy lasted) likewise all the rest of the Tribe called usually *Levites*, were in Subordination to the Priests: I warn you again not to make use of this Topick, lest the Prelatists imagine, you are pleading for their *Hierarchie*, for that is usually produced by them, as one of the main supports of it.

We come now to the last *Rancounter*, which is of all the most considerable, and occasioned by a meer Providential adventure: for a Prelatist chanced to pass that way, and hearing mention of *Hierarchy*, he instantly imagined, that one of those Litigants was an Oppugner and the other a Propugner of Episcopacy: therefore he suddenly started up on that Stage, with a design to second with all his might the Combatant for Prelacy; but how soon he approached with his Episcopal Gown about him, and

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appeared with such a sprightly Aire in his Countenance, both the Antagonists fell a trembling, and he hear'd one mutter to the other, that Prelatical Curat is as formidable to me as Gorgon's head, yea his very habit is Nauseous, as being the mark of the beast, that 'tis ready to turn my Stomach.

The Prelatist very civilly saluted them, & told them that hearing them mention *Hierarchie*, he supposed they were debating about Church Government, and that he was ready to prove the Lawfulness of that Ancient *Regimen* of the Church, both from Scripture and Reason, from the Doctrine and Practice of the Primitive Church and of all posterious Ages, till this unhappy one where, in we live; and not only its Lawfulness, but its expediency too, for the right ordering of the House of God, if it be duly manag'd according to the Ancient Canons of the Church, but finding my mistake, I am content to have some friendly Conference with you, for some few Minuts of time, and 'tis possible you may find that old Proverb verified, that the Devil is not so black and terrible as he is sometimes painted; therefore be not any more appal'd at my presence as if I were a Gorgon's head, for if you be not ignorant Bigots (for such in all Sects pretend most to Zeal, tho' too often not only without knowledge, but also destitute of Justice, Charity and Truth) ye will find my discourse full of Christian Moderation.

This Calme Prologue did Animat them a little, so that they professed a willingness to entertain an amicable Conference with him; for said they, we hate an ignorant fiery Bigotry, as much as you do, and are afraid it will prove the Bane of the Church at the last: Well then, said the Prelatist, I hope you will take no Offence at the rise of my discourse, to which you have given occasion, tho' not intentionally, and that as by Mutteting the the word Gorgon, which brings to my remembrance, what a famous Astrologue told me, that about 17 years agoe, at the precise minut of the Assembling of a complex Judicatorie, he did erect a *Thema Celi*, (which they call an *Horoscope* at the Nativity of a Child) and therein found, that *Medusa's* head (a constellation so called, the same with your Gorgon, and *Caput Algol*, as the *Arabians* terme it) was culminating in the Cusp
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of the tenth house, which doth always import a violent Death to that Infant, that is thus born under it, therefore he concluded, that at such a time, it was Ominous both for Church and State. I do ingenuously declare that I never laid great stress on the *Ætherial* predictions of such Aery Prognosticators, as being convinced, that it is a very uncertain Art upon many accounts, and fitly compared to a blind man's throwing his Staff, which sometimes chanceth to hit the Object, and much oftner misseth; but by that great Fatality, which fell out at that time, I judged our Astrologue to have guessed but too well.

But I am one of those, who (by virtue of the Divine aid) have studied to make a virtue of necessity, and that is true Christian Patience, which in all the dismal Calamities which befall either Church or State, imports an intire Resignation of our will, to the Will of God, with a firm belief, that he will make all things to work together for good to them that love him; and that he can and will in his own good time, bring Light out of Darkness, Order out of Confusion, Good out of Evil; and that he can make Treacle of all our Poison, because he is infinitely Good and Wise, Powerful and Just, who governs the World; yea the Heathen Poet hath given us a good document to possess our Souls in patience, from that advice the *Sybillin Oracle* gave to *Æneas*,

Nate Dea, quo fata trahunt retrahuntque sequamur,
Quicquid erit, *Superanda omnis fortuna ferendo est.*

And since the most part of all the Proverbs of all Civilized Nations, are founded on the greatest depth of Reason whereof they were masters, our *Scots Adage* is still remembered by all privat persons, who lay claim to prudence. *'Tis hard to sit in Rome and strive against the Pope.*

Now the Prelarist taking both his Collocutors for Presbyterians, he thus addressed them: Ye both appear to me by your faces to be yet many removes from the *prima Senectus*, which gives me reason to conclude, that ye had no hand in the late Revolutions, even tho ye have become Organical Members of the

the present Church: Judging, that the visible Church, cannot long consist without such members, so that you may be ready with me to practise that Apostolick precept, *Rejoice evermore, and in every thing give thanks*, for if any thing was done amiss in those publick transactions, all privat Christians have reason to praise God, that they had no hand in them; and when 'tis their lot to play an alter game, they are apt to Solace themselves, with those two maxims of Law, *feri non debuit, factum valet*, and *multa impediunt contrabenda, quæ non dirimunt contracta*: And I will be plain with you (since necessity hath no Law) I would not scruple at your Communion in all Sacred matters, if so be they who have the honour to be the mouth of God to his people, and the mouth of the people to God (I hope you understand what I mean) and demean themselves as such great Trustees ought to do, and providing ye had not spurned the Lords Prayer out of his own house, to the great Scandal of the whole Christian world; For I thank God for it, that I was never so hide bound in my judgement of Charity, as to annihilat in my Imagination a National Church, merely because it is destitute of that form of Government, which I always judged to be the best: for the wild fancies of such narrow Souls who imagine that there can be no true Church, which wants that Government they affect, and that none can be Saved who are not within their Ark, and Steered by such Pilots which they enjoy, all such Spiritual Monopolists are almost such Criminals in the sight of God, as was that foolish Emperour *Caligula*, who wished all the People of *Rome* to have but one Neck, that with one blow he might cut it off, and all forsooth, because that Neck was not pliable enough to a distracted head. Whence it may be very rationally and Christianly inferred, that our *Jure Divino's hinc inde*, if they be laid in the ballance together, will be found altogether lighter than Vanity: For it was never judged essential to the City of God by any man of sense, whether the Suburbs of it were but one, or two, or three Stories high, even when the uppermost Story appears to have more of Decencie and Order and Stability, than any of the Lower. Yea it was always my judgement, that in the great *Audit*, when the whole world shall be

called to give an account of their works, if a man in that great day, shall be found to have been truly Faithful and Contrite, Holy and humble, meek and merciful, just and temperat, and fruitful in good works, it shall never be demanded of him, under what kind of Government, either in Church or State, he lived while here upon Earth.

The two Auditors taking him to be a much more moderat man, than at first they imagined him to be, they then thought fit to discover themselves to him. It is only our Old brother here who is Presbyterian (said the other) but as for me, I am not ashamed to own my self to be of the number of those, who are named Independents, since I am sure I walk according to my Conscience, and that the Wise Man hath told us, *he that walketh uprightly walketh Surely*: we were interrupted by you in a debate, and I am apt to believe, that our Brother was glad of that Casual Interruption, since I am perswaded, he will never be able to produce any clear testimony in Holy Scripture for their Subordination of Classes, no not suppose, he should trace Presbytery backwards, even the length of the Wilderness, where a Foolish Scots Presbyter found the *Æra* of it, when the 70 Elders were chosen to judge the *Israelites*, here began the first Presbytery that ever was in the World (saith that wise *Philologue*) *Moses* and *Aaron* being Moderators; therefore said the Independent to the Prelatist, I shall be well content to make you Umpire betwixt us, providing my Antagonist submit also. I shall be very glad, said the Presbyterian to hear his Opinion, for I am sure all moderat men of the Episcopal perswasion, think much better of Presbytery, than of Independencie upon many accounts. I will not muddle with your comparisons, said the Prelatist, for they are sometimes found very Odious; neither will I become a Judge Arbitr, tho both would press me to it; but I shall give you my opinion very freely, which possibly may have the most ordinary effect of Arbitration, and that is, if both parties cannot be pleased, to displease them both.

Since you both desire my opinion of your controversie, and that impartially; I shall give it in few words without *fear or favour* of any, for it is *Lippis & consoribus notum*, that this Subordination

dination of Classes cannot be expressly found in Holy Scripture; yet upon the other hand I judge, that the Presbyterian Churches have thereby the advantage of the Independents, in point of Order; if so be these Classes be always rightly ordered, it being a notable Prudential mean (tho of Human invention) for that effect, as being directly subservient to the Discipline of the Church, as to the Suppression and condign censuring of all Scandalous delinquents, according to the Canons of the Church, and that in its whole *Climax* or Gradation to that highest Ecclesiastick Judicatory, called a National Council, or General Assembly; to which Supreme Representative of a National Church (if rightly constitute) all the Members of the said Church whether simple or Organical are bound to submit, and acknowledge its Authority, for he who will not hear the Church (saith our Saviour) let him be to thee as an heathen or Publican.

For in the best of Episcopal times, all those Classes were so far from being exaundered or fallen into a desuetude in this National Church, that they were still observed in due vigour, so that whether *Episcopatus* was judged to be *Ordo vel Gradus*, all moderate men among them, still judged themselves obliged, *Submittere fasces* to the Authority of a National Council; yea all such were found without the Ambition of claiming more than a Gradual difference betwixt themselves, and their Presbyters, knowing that by such moderation, they more apparently resembled a St. Cyprian, St. Ambrose and St. Augustin, & many other such self-denied Prelats in the Latin Church, as also those Famous Greek Bishops; viz. *Gregorius Thaumaturgus*, the Great St. Basil, Gregory Nazianzen and Gregory Nicen, yea and that most Eloquent Father St. Chrysostom, for as supercilious a Clergy man, as the vain Empress *Eudoxia* used to Nick-name him; whereas all others who did soar too high, were justly compared with those Tumid Bishops in the Roman Church, viz. Boniface 3d: with Boniface 8th. Gregory 7th. (alias Hildebrand) Pope Paschal 2d. Alexander 3d. Pope Innocent 3d. and 4th. and Julius 2d. (not to speak of some of the same kidney who mounted the Stage after the Reformation) as Pope Paul 4th, and Sixtus Quintus, for all these too Martial and Masterfull
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Popes, gave occasion to Impartial Spectators to apply the Old *Maxim* to them, 'That they who grasp more, than belongs to them, (through the Justice of Divine Providence) are often bereaved of what is their due.

But let us descend to the lowest of your Classes, usually termed a Kirk Session, who are accounted the Representatives of a Congregational Church, I did always esteem them more subservient to the promoting of true Church Discipline, according to the *Dic Ecclesie* of our Saviour, than any Bishops Official could be, in any part of the Christian World, with all his pecuniary Mulcts; providing these who are named Elders and Deacons be pitched upon, as having the Qualifications of Knowledge and Prudence, and who by their Piety and Vertue are exemplary to all their Neighbours, and only such, (if they can be found in the Parish, for *ultra posse non est esse*) that they may not only become *Mensarii, & Elemosynarii* (as we Read of Deacons *Acts*, Chap. VI:) but also by the delation of incorrigible delinquents in their respective precincts, (notwithstanding of private Admonitions) to the Minister of the place, with the rest of the Elders, may contribute very much to the vigorous Execution of Church Discipline according to the Canons of the Church,

Having Occasion so by the foregoing, I cannot forbear to mention an Observation of the very Learned *Joseph Mede*, in one of his *Dissertations*; that there ought to be an Exchange of Names among those Members of Kirk-Sessions, that the Head thereof whom they call the Minister, should rather be termed an Elder, and *vice versa*, those who are denominated Elders, should be termed either Ministers or Deacons or Church *Neighbours* (all being Synonymous terms, which import Subserviency or Ministration to others) whereas the Word *Elder*, both in the *Old* and *New Testament*, always implies a Man of Authority either in Church or State, and such considerable Authority, that whereas we read of King *David* with his *Elders* appearance in *Sack-cloth* and *Ashes* to deprecate the Wrath of Heaven, in the sad day of the Pestilence raging among them. These *Elders* are generally expounded by Interpreters to have been his principal Nobles, but remembering an expression of *Tertullian*, I shall

shall dwell no longer on this Observation: "They must needs be
"drenched very deeply in the dregs of malice (saith that Acute
"Africain) who controveert about words and Names, when the
"things themselves are well enough known to all the World.

Having thus frankly given you my opinion (saies the Pre-
latist) both according to my knowledge and Conscience, he
turned to the Presbyterian and said, I hope Sir, you will allow
me to propose one Query to you, and that you will hear it, at
least as placidly, as you did the last interrogator of your *Quon-*
dam Brother here present, & I assure you, it concerns not the parity
in your Church, which you so much affect, which I suppose re-
lates (in your judgement) only to men in Holy Orders: How
comes it then about, that ye have advanced some Laicks among
you to such a dignity, as that they have good Reason to say to
you all, in all your Church Judicatories, *Sumus ergo pares*, and
that in reg'd of your allowing them a decisive vote in your
highest Tribunals, even in reference to matters of Divine Doctrine,
& censures of any of your Church men, so that the Vote of the
meanest of these your new Assessors, is equivalent to the suffrage
of the most eminent of all your Clergy, and since you pretend for
clear testimonies in Holy Scripture, for every thing of that Na-
ture, I pray you let me hear one of them for this.

I have heard your demand (said the Presbyterian) without
the least offence, but not without some Admiration, that such a
sharp man, (as you appear to be) should be ignorant of that
so much Celebrated place 1. *Tim. 5. The Elder that rules well,*
account him worthy of double honour, especially him who labours
in word and Doctrine; where you may find such a clear diffe-
rence betwixt Preaching Elders, and unpreaching Elders, whom
we usually call *Ruling Elders*, from this very place, as if it
were written with a Sun Beam.

Fair and Soft (said the Prelatist) you appear to me to verify
that old *Maxime, facile credimus quae fieri volumus*, for I have
hear'd that Scripture cited very oft by men of your persuasion;
but never found any of them, that gave the right sense thereof,
for to all unbiassed Persons, the words appear to contain an *Aux-*
esis (that figure being familiar with this Apostle) which im-

ports not a difference betwixt Elders *in specie*, but only *in Grad*: as if he had said expressly, These Men in Holy Orders deserve a double doze both of honour and of the Church Revenue, who laboriously set about all the duties of their Calling, for some may have the Spirit of Government, who fall very short of their Neighbours as to the gift of Preaching, and Spirit of Prayer. And to let you see, that I am not singular in my gloss upon your Text, I will take the boldness to give a defiance to all the Presbyterian World, to produce me, but one genuine Commentary since the days of the Apostles, to the year of God 1536, that expounds the word *Elder*, in your sense; but on the contrary, where ever the word (*Elder*) occurs in the *New-Testament*, (as importing some Office in the House of God) they still interpret the same of Preaching Elders; Unpreaching or Ruling Elders (as you term them) being altogether unknown to the Christian World, till *J. Calvin* settled at *Geneva*; and if any man can produce me an Instance contrary to what I have just now asserted, *erit mihi magnus Apollo*.

Then Sir (said the *Presbyterian*) I will be your *Apollo* for once, for we are not all such Strangers to Antiquity, & Fathers, as the Generality of your Gang do imagin; for it is a Father that lived in the 4th Century, that I am about to cite, even that famous Bishop of *Milan*, whom you call *St. Ambrose*, whose great Zeal against Scandalous Sins, reached a great Emperour, even to the disgrace of too many of your *Prelates*, who were little better than slaves to some Princes Favorites, who were very much below *Theodosius* the Great, upon many accounts; this *Ambrose* in his Commentary on *Pauls* Epistles, speaks as clearly and fully for the advantage that redounds to the Church of God, from those Ruling Elders (as Contradistinguished from Preaching Elders,) as any of our Grandees, such as *Catderwood* and *Petrie*, *Gillespy* and *Rutherford* could have done, so that I need produce no more, for he is *instar Omnium*, to those of your Complexion, especially being an Ancient Bishop and a renowned Saint among you.

You have reason (replied the *Prelatist*) to hugg that single Author, since from the Christian *Æra*, to the 1536, not one such Commentary can be found, that is so much for your Ruling Elders,
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even as pat as a *Presbyterian* heart can wish; but give me leave to apply to You, what *Arch Bishop Laud* upbraided to the *Romanists*, that if they had the writings of their *Priest Brierly* beside them they thought themselves foot side with any *Protestant* disputant in regard of that *Multitude* of Citations, that, that *Priest* hath amassed, both out of the *Fathers* and *Protestant* writers, (as *Argumenta ad hominem*) whom they believed with implicit Faith, and were never at the pains to consider the Context, that they might find out the Genuine sense of some Ambiguous expression either from the Antecedents or Consequents of the said text: At least to discover (by reading the whole treatise) if he is a Man of Truth and Judgement, whose Authority is Cited: and I must plainly tell you, that this is your very Case, as to your present allegation; For there is not any Judicious Man, that hath been at the pains to read that Commentary (which is Fathered on *St. Ambrose*) a *Capite ad Calcem*, but will instantly conclude, that it is most unworthy of so good and such a learned *Prelate*, there being a multitude of points of *Popery* found in it, which hath made all sober *Protestants* spurn it away as a naughty spurious Book, & in regard of some other damnable errors, the best of the *Roman* Criticks have also rejected it; it being too Ordinary for Men, who had no Credit of their own, to Father the empty fruits of their own brains, upon some eminent Father of the Church, that their Adulterous bratts, might gain some reputation thereby; the Apostles themselves not being priviledged from that Usurpation.

But it is high time for Me, now to enlarge my former protestation, both to the *Terminus a quo & ad quem*, viz. That you are so far from finding any genuine Author interpreting the Word *Elder* (in the Gospel) in your sense, before *Calvins* days, that it is not possible for you, (or any of your Sekt) to produce any Authentick historian (whether Ecclesiasticall or Secular) that can give but One Instance (before *Calvin's* time) of any *Laick*, I mean of any Man whatsoever, that was not in Holy Orders (call them *Ruling Elders*, *Seniores Populi*, or *Comites*, or what you will) that were Judges of Doctrine or Censors of Manners, in any General or Provincial Council, in the whole Christian Church; But that you may not Mistake Me, by a Judge of Doctrine, I do not

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(34)

understand, simply the Judgement of discretion for that belongs to all Christians who are come to the years of discretion. St. Peter having told us, that every Christian is to be ready always, to give an answer to every One who demandeth a Reason (meaning Orderly) of the Hope that is in them, with Meekness and fear ; but it is of the Judgement of Authority, that I am discoursing, to wit, that there was never any *Laick* in those Primitive times (which are the best standard whereby to judge things of this Nature) that had a decisive voice in Ecclesiastick Judicatories, and as ponderous, as any that did sit there, so that they had an equal hand with the most eminent Ecclesiasticks, in thrusting all incorrigible hereticks out of the house of God, and in degrading all Scandalous Clergy men for their Immoralities.

Hold (saith the *Presbyterian*) I will let you see that I am a better Antiquary, than You imagin, for I will ascend the length of the 3^d. Century, and about its very beginning, and I am sure You will not tax me for Citeing a Spurious Author, unless You imagin *Tertullian* to be such, Neither is it any treatise of that subtile *African Presbyter*, which he wrote after his unhappy *Montanizing*, but One that is Celebrated to this very day in the Catholick Church, as an excellent piece, and that is his *Apologeticke* for the Christian Religion, which is accounted a Star of the first Magnitude among all the *Apologists*, and nothing inferiorour Intensively to *Justin Martyr*, *Minutius Felix*, *Origen*, *St. Cyprian*, *Arnobius*, & *Lactantius*; not to speake of these much greater volumes written by *Eusebius*, *St. Augustine* and *Theodoret*, under the Notion of *Apologists* for our Holy Religion, in which excellent Apologie *Tertullian* mentioned more than once, the *Seniores Populi*, and so describes them, that all unbiassed Persons will find him asserting the same power to be in them, which we ascribe to our *Ruling Elders*: and as for the *Comites*, is it not evident from many *Greek Historians* (which are presumed to know best what was done among themselves,) that Some Seculars who were never in Holy Orders, were appointed by their Respective Emperours, to be assessors even in General Councils? and what they called *Comites*, we term *Ruling Elders*. And thus the Preaching Elder ended his pleadings for his *Ruling Elder*.

I believe (said the Prelate) you are now at the bottome of your Coffers, neither is it *de novo ad aures*; what you have said; for I am confident to have heard the same Apology for your new Coined Officer in the House of God, much more frequently, yea far exceeding the number of the *Thebarum porte*; *vel divitis Ostia Nili*; so that I am apt to Nauseat that which hath been so often confuted, to the satisfaction of all those, who are not Steel-ed against Truth and Reason; for by Instancing *Tertullian*, you give me occasion to renew my former Challenge, that too many take Citations out of Books hand over head, without the least slender view, either of the Antecedents or Consequents, for it cannot be denyed, that *Tertullian* mentions the *Seniores Populi* in his *Apologetick*, but I will give you leave to burn all the Books I have, if you will be at the pains to peruse deliberately, that excellent little Treatise (which you may do in halfe a naturall day) but that you shall find him giving such a Character of those *Seniores*, that a very Child almost may conceive, that he is to be understood of Elders in Holy Orders; and I pray, is not every man the best Interpreter of his own words, whether uttered *viva voce*, or consigned in Writ?

As for the *Comites* you have mentioned, take this brief account of them; They were the greatest Nobles in the Emperours Court, (called otherways *Patricij*) who were Employed by the Christian Emperours, (when they had not leifure to honour those Church Judicatories with their own presence) to wait punctually upon all those meetings, especially the General Councils, that there might not be the least umbrage of Abuse or disorder committed in those venerable Assemblies, they being Authorized and backed with a sufficient Secular power for that effect: Now in regard these Imperial Orders were not put in due Execution, the 2^d. General Council Assembled at *Ephesus*, was so far from suppressing the *Eutychian* Heresy (for which they were convened) that it was the more firmly rivetted, and continued in its ascendent, all the remainder of the life of *Theodosius* the younger, a devout (but too Credulous a Prince) till the great Enormities committed in that *Pseudo-Synod*, were rectified by the personal presence of *Martianus* (his immediat Successor) at the great Council of *Calcedon*; For that Comes at *Ephesus*, so palpably
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betrayed his Trust, as being an inward favourer of that Heresie, that he gave way to *Dioscurus*, Patriarch of *Alexandria*, (the great padron of the *Eutychians*,) so to violent that good Bishop of *Constantinople*, named *Flavianus*, that the violence he suffered became Mortal to him in few days, and because such most scandalous disorders, had never been perpetrated in a General Council, therefore that Infamous Synod is to this very day, truly Stigmatized with the terms of *Synodus augetur & prädatoria*, that is, in plain English, a Thievish and a Robbing Council. But for any to Imagine, that those delegats were invested with a greater power, than ever their great Constituents assumed to themselves, were very Ridiculous, and that these great Princes were strangers to some Acts of Supremacy, which were made in some of the posteriour Ages, will appear from what follows: for not to speak of that silly Emperour *Arcadius*, who could not possibly dethrone *Chrysostom* (for all his being so Uxorious) till a packed Council of Bishops did the feat : we need no other instance, but the deportment of *Constantine* the Great, at that Great Council of *Nice*, who left his Imperial City, and crossed the *Bosphorus Thracius*, that he might come to that Famous City in *Bithynia*, where that first Council was Assembled, that he might obviate, by his own presence, the least disorder that might Occur there, by any favourer of Profaness or Error ; his Imperial Majesty was indeed very respectfully desired by the President (in name of the Synod) to give his opinion concerning the *Arian Heresy*, but his Answer was very remarkable, That as Gods Vice-gerent upon Earth, and as a member of the Christian Church, he acknowledged himself to be *Custos utriusque Tabulae* : but withal, that he was but *Episcopus extra Ecclesiam*, so that it did not belong to him to judge either the Intellectual or Moral errors of the Clergy, but only to Church men, the Apostle having told us, *that the spirits of the Prophets are Subject to the Prophets*, but subjoined that great Prince, whatever he be, that is declared by his proper Judges, to be a turbulent or an incorrigible Heretick, I shall have a care that his Contagion spread no further ; by making him either a close Prisoner, or by exiling him

him without the limits of the *Roman Empire* (for that fiery Law (*de heretico comburenda*) was not then come in fashion.)

Without all peradventure, if that Prince had seen any Layman of what quality soever, under whatsoever Title or pretence, sitting among those of Holy Orders and usurping a decisive vote there, he would instantly have caused extrude him with disgrace, and have applyed that Sayer to him, *Ne Sutor ultra Crepidam*, which since the Creation of that new Officer hath been sometimes verified, in the most literal sense. I am perswaded that there is not any man in his right Wits, but will judge it an unaccountable piece of Pageantry, to make a man a formal Judge betwixt Orthodoxy and Heterodoxy, who cannot give a Tolerable account of an ordinary Church Catechism; he must needs be *velut Asinus ad Lyram*; and to all such, that Poetical story may be fitly applyed of Ignorant *Midas* (tho' a King) his taking upon him to be Judge betwixt *Pan* and *Apollo*; in regard of his ignorant verdict, having preferred the Pipe of *Pan*, to the Harp of *Apollo*, he had Asses ears clapped to his head, for the Guerdon of his foolish labour.

But this *Sarcastick* discourse dissolved the meeting in a great Snuff, for they left the Prelatist very abruptly, & *insalutato hospite*; yet he heard the Presbyterian Muttering these Words to himself; I will let yon bold fellow know, there is a great difference betwixt *Suadere* & *persuadere*; and in my humble opinion it was high time to break of these debates; for I suppose it will cost our Author, at least one whole Vacation to frame a pertinent Answer to them, out of his too narrow Principles.

Having sufficiently battered our Authors great Pyramid, let us now take a little notice of his small ones, wherewith it is Surrounded; which may be easily swept away, as so many Cob webs; for many of these little Topicks are answered at large already: for example in Page 280 *The Payment of Tithes by Pagans to their Heathen Deities was not the effect of any Natural Instinct but only a Custom borrowed from the Jews* (that is sufficiently answered already;) as also that foolish instance of their *Theocracy* and that *Tithes* were cleerly Ceremonial; as also that *Priests* and *Levites*, had not as our Church men the Charge of Souls,

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But whereas it is added, in Page 280, 'That they were vastly more numerous, and *Judea* more fertile than our Land. That requires a further Examination. For if we consult the 3d. Chap. of the Book of *Numbers*, it will found that when the Law and distribution was first made, all the Males among the Levites (reckoning even from a Month Old) were but twenty and two thousand, and all who were in Age and in Office consequently much less, only eight Thousand and some odds; but I believe there is not any Populous Kingdom in *Europe*, whose Clergy doth not by some Thousands exceed that Number, when the whole Family is reckoned upon: for I suppose our Author is not become so popish, as to discount wives and Children from their families; but I shall in the next place, give a short account, that tho' their Clergy were generally fewer, in comparison of the Christian Clergy, yet their provision was nigh double to ours. But this hath its rise from another mistake of our Author, which may be found in

Page 281. His *Formalia Verba* are. 'And then a further consideration for bestowing of Tithes upon the *Priests* and *Levites*, that 'holds not in the Case of a Gospel, Ministry, was, for that they 'were excluded from all other part, and inheritance in the Land, 'whereby they lost a twelfth of property, for a Tenth of Annual 'Increase. It seems our Author hath not well considered, the distribution of *Canaan* among the *Israelites*, nor what proportion the Tribe of *Levi* did bear to the rest. 'Tis true *Levi* was One of the twelve Sons of *Jacob*, but we must not suppose, that all the Tribes had equal dividends, so that every particular Tribe got the twelfth part of the promised Land, but it was divided among them, according to their numbers of Families and men, when that General Numeration was appointed by God, (so that the most numerous Tribe got the greatest proportion of that Land,) as is evident from the Address of the Tribe of *Ephraim* to *Josua*, who told him, that God had Blessed that Tribe (according to the prediction of *Jacob*) with a far greater number than any other Tribe could pretend unto; therefore they desired a much greater proportion of the Land, which was to be divided, and they obtained their request, because it was found

found most rational; Now, I pray, what proportion could the *Levites* have expected, if they had been to get a dividend with the rest of the Tribes? even about the sixtieth part of the promised Land, and no more, because upon an exact computation of their Numbers, in comparison with all the rest of the Tribes, that little Tribe of *Levi*, amounted but to the sixtieth part of the total Sum of the People: And I shall next in few words make it appear, that proportionally to their Numbers, they were better provided, than any other Tribe whatsoever.

This will easily appear from the diverse kinds of Sacrifices among the *Jews*, whether *Commanded* or *Voluntary*, for in all those Oblations the Tribe of *Levi* had always their share, (and that by the special appointment of their Law-giver) except it was in their *Holocausts* or whole *Burnt Offerings*, but I shall only speak particularly of their *first fruits*, which tho' commanded in General, yet the *Quota* was left arbitrary to the disposition of the heart of the Giver (as many yet suppose) Notwithstanding the *Jewish Rabbies* pretend to find the *Quota* in an Obscure place of the Prophet *Ezekiel*; and this they reckon to be the Sixtieth part of the whole growth; and because this was *Minimum ut Sic*, therefore it was called the *Iheruma of an Evil Eye*, and they were accounted but *Hide-bound Israelites*, who gave no more: therefore they who desired to be thought more liberal, gave the fiftieth part, and they who affected to be reputed more Zealous and Devout than any of their Neighbours, failed not to give the fortieth part of all their yearly Increase, besides those Tithes which were expressly commanded by God; but whatever ground there was for this, it is certain, that the *Jews* were generally very bountifull to their *Priests* and *Levites*, above any Nation under Heaven.

But let us endeavour to rectify some other little Mistakes of our Author, which he hath Misjudged, as very forceible Arguments, against the *Jus Divinum et Tithe*. I shall give two of them in his own Words Page: 281. Nor is it good arguing with us to draw certain Conclusions as to the Right of *Tithes*, from the Canons of the Church, Or the Constitutions of Particular Princes. For what hath a Provincial Council of One Nation to do with another? or what Authority can the Imperials of the Old French Empire have in Scotland? &c.

I shall usher in my Observation on the first mistake, with the words of the Comedian, *dum in dubio est Animus paulo Memen- to huc illuc Impellitur* ; My doubt being whether to impute it to Inadvertencie, or a little Smack of Policy; in Mentioning only the *Canons of Provincial Councils*; for what Man of tolerable sense doth believe, that the *Canons of a Provincial Council* of one Nation do oblige another Nation, (unless the One be Vassals and Tributary to the other) for (as it hath been told by us already) all National Churches are *Co-ordinat*: as for the *Canons of General Councils*, we have also given an Account of their Obligation, I mean of that Obedience, which all National Churches owe thereunto, if so be they consented to the framing of these *Canons*, by their *Delegats* Canonically chosen, for that effect; or suppose they had no Representatives there, yet by a *Posterior Homologation*, the National Churches and head of the State, may ratify all that is done there, and Consequently these *Canons* obtain the force of *Laws*, both over Church and State.

As for his mentioning the Authority of the *Imperials* of the Old French Empire, lest an *Ignoramus* should imagin, that our Author should be decrying our Old League made by the Scots with *Charle-main*, who was both Emperor of the West and King of France; I must tell the Reader, that our Author seems to be in a mistake as to the *Imperial Law*. The *Capitulars* indeed of *Charles the Great* are excellent, and very favourable to the Church, but these were never termed the *Imperial Law* *Kar' igrayn* by any Man of law, before our Author, but only the *Corpus Juris Civilis* compiled by the Authority of *Justinian the Great*, who died 200 years before *Charles the Great* was born, and it is of that *Imperial Law* we are to understand that *Old Act* of Parliament yet unrepealed, 'that if any Action occur before the Civil Judges, of such Intricacy 'that the same hath not been determined, by any Municipall law, 'of the Nation, that the Judges shall Consult the Civil (that is *Justinians law*.) and if they find the Case resolved there, they shall determine thereby.

Neither ought our Author to vilify the *Canon Law*, so much as he doth, I mean the *decretum Gratiani*, with the Commentaries of *Panormitan* & *Felinus* upon it, Notwithstanding the Pope is

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(God be praised) out of doors among us above an 100 years agoe and that because the *Commissariat Law* (which is in some cases the most perplexed and Intricat we have in *Scotland*) depends very much upon the *Canon Law*, and it is no wonder since that Court hath as yet a great reference to Church-matters, for who knows not, that the *Commissar* was the Bishops *Official*, even in this Kingdom; till he was erected to a Civil Judge by Queen *Mary*? and to give my Insignificant Opinion in the matter, I judge all such New Judges, that are altogether ignorant of the *Old Canon Law*, as Feral Birds fluttering upon the Ground, for want of wings to flee up to the Bench.

But *Manum de Tabula* (as to any other dispute concerning the *jus Divinum* of Tithes) if it had not just now come into my mind, that having given such descriptions of *Setden* and *Milton*, as they deserved; the Candid Reader might have expected a larger Character of their great Antagonist *R. Montague*, who had with such force of Reason silenced them both: And let him now take it in the words of *P. Heylen* who (besides his great learning) magnifies him as the greatest man of the Age, for an undaunted Courage, and an extraordinary presence of mind, before a Parliament of *England*, when the generality of the House of Commons were his declared Enemies, yet he came off with flying Colours in spite of them all. Which remarkable little story is as followeth.

In the days of King *James I.* of *England*, the *Romanists* set forth a Pamphlet bearing the Title of *Gagg*, as if (forsooth) the Author had stopped the mouths of all Protestants out of their own Bibles. This *Montague* being the Kings Chaplane was ordered by his Royel Master, to write a Confutation thereof, which he did to purpose, under the Title of the *GaggerGagged*, which so obstructed the Popish mouths, that they dream'd not of any Reply; yet fell upon this piece of carnal polley, to give it a new Title (as if it had never been confuted) and that was; *The Touch Stone of the Reformed Gospel*, which it bears to this very day. But to return to our great Champion, notwithstanding, that in the eyes of all sober and judicious Protestants, he had even to admiration baffled the *Papalins*, both from Scripture, Antiquity and
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(92)
Reason; yet there were two dissenting Brethren, named Mr. Ward, and Mr. Yates, who lybelled him in Print, as guilty of diverse points of Popery and Arminianism, which they pretended to find in his Book, wherupon he wrot his Apology termed *Appello Casarem*, wheren he appeals to his Royal Master, if those Quarellsome Brethren had not been seeking *Nodum in Scirpo*, by calling that Popery, which no judicious Protestant ever imagined it to be, and 'tis worth the while to give one of his Instances to the purpose, wherein the Reader will find a very Quick Repartee, for he was Satyrick enough.

The Romanist had averred in his Book, that the Protestants are so strict laced as to teach, that Things *Adiaphorous* in their own Nature become Sinful, when enjoyned and Obedied in Obedience to Authority, which imports, that they look upon them as duties and so many incroachments are made both by Church and State upon Christian liberty. *Montague* answers this very pertinently, 'That there be too many in the World, who are Superstitious in avoiding Superstition; they being equally guilty of Superstition, who account things indifferent in their own nature, as duties, or who look upon them as Sinful practices, both being *Supra Statutum*; For nothing is properly a duty, but what is commanded, and nothing Sinful, but what is forbidden; For where there is no Law (saith the Apostle) there is no transgression; but when things indifferent are Ordered to be done by a Lawful Authority, either in Church or State (for if they have not so much power, they have nothing) we are determined to the practice, but still left at liberty to judge them indifferent in their own Nature, and we are also set at liberty as to the practice, if our Superiours think it fit, to alter their Order the very next day, and thus he shuts up that Paragraph; 'and I am confident there is not any wise and Learned Protestant that thinks otherwise.

Now the promised Repartee follows; These dissenting Brethren Charged him as a Coyner of Lyes, it being a manifest Untruth, (said they) that all Protestants are of his Opinion, for we could produce the attestation of 1000, to the direct contrary of what he hath so boldly averred, and we hope he will not deny, that we are

are Protestants, and consequently two of that number, who are ready to bear witness against him. To this he answered in very few words, but smart enough : Gentlemen, ye are exceedingly mistaken, if ye think I meant by you, or many thousands of your Sect, and if ye will be at the pains to read over my words again, they will immediatly undeceive you, for I asserted only, that *all wise and Learned Protestants* are of my opinion: And as for your Charge of Arminianism, I will once give you so much satisfaction, that I declare *in verbo Sacerdotis*, (for these were his *formalia verba*) that I never knew *Jacobus Arminius* by face, nor ever read one line of any of his Books, but if it be the Doctrine of the Primitive Fathers, which ye call Arminianism, I cannot help that, for their enemies were too apt to Nick-name them, even in their own times: Thus *St. Cyprian* was called *Caprian*, and the Great *Athanasius* branded with the Odious Title of *Satanasius* by the Implacable *Arians*.

Yet the malice of these dissenting Brethren rested not here, for having occasion of a Parliament, which they judged very favourable to their opinions, by their privat Instigation, that great soul was cited before them, under the Notion of Heresy: how soon he appeared, he desired the benefit of Law, that his accusers might be produced to make good their Charge against him, either by his own words and that by the testimony of habile witnesses who heard him utter any heretical Doctrinae, or by those writings which he owned, since we find a Noble Roman telling us in Holy Scripture, that it was not their fashion to Condemn any man till he have the accusers face to face (which is to be understood of an accusation of Heresy laid by the *Jews* to *St. Paul's* Charge). I know my Clandestine accusers very well, (said the bold Pannel) and let them now appear, for I will undertake *sub quovis periculo*, to discover them before this honourable Court to be gross Ignorants and that I have asserted nothing in any Books, that ever I owned, but what was Consonant, not only to Holy Scripture, but also the Unanimous Doctrine and practice of the Primitive Church, which I always judge to be the best Commentary we have upon the Holy Scriptures.

Tho the Accusers were called for, yet they had not the Confidence to appear, fearing, (it seems) the fate of *Patroclus* in his conflict with the *Trojan Hector*, tho he was fortified with the Armour of *Achilles*, which was accounted invincible, for they dreaded exceedingly the great Learning, Eloquence and Heroick Spirit of their Antagonist, whereby he did almost infinitely excell themselves, yet there was a young Commissioner to that Parliament, who had never been in any Court before, who pressed the procedure of the Judicatory against the Pannal, on the grounds of the privat Information, they had already received ; for this stripling had a Zeal but not according to knowledge: whereupon Mr. *Montague* thus bespoke the Master Speaker of the House of Commons, to the great admiration of all the Hearers; 'I doubt not, said he, but many here do know, and all judges should know, that a Judge, an Accuser, and a Witness are incompatible in one person, or any two of them, if we believe either the 'Civil or Canon Law, the Municipal Laws of the Land, the Law 'of God, the Law of Nature and Right Reason ; for if it were 'not so, the Invisible accuser may shuffle himself in, to become a 'visible Judge: the experience of the Age having taught us, that 'this is practicable, and then the transformed Accuser transports the 'hidden malice of his heart to the bench, which ought to be so serene and Sacred, as to be void of all Carnal passions whatsoever: 'As people are ordered, saith *Platarch*, to put off their Shoes before they enter into some Temples, so all incorrupt judges should 'should leave all their affections behind them at the door of their 'Court. On which account justice is usually painted blind ; therefore such a Rampant Assessor should be degraded from the bench 'to the barr, where he may vomit his venome legally, under the 'Notion of an Accuser, providing he resolve to abide the *lex Talionis*, if he fail in his probation ; but if none will sustain the person of an Overt accuser, these inviolable Rules of Law and Justice ought to take place, *Sine Legitimo accusatore nemo inter reos est recipiendus* ; and that other, *accusatore deficiente, reus absolvitur* : Whereupon this Bold Pannal was dismissed much to his honour, and no less to the Reproach of his fugitive Accusers.

We

We have dwelt the longer on this Character, in regard of a conference betwixt 3 or 4 *Virtuosi*, how soon this Pamphlet became *publici juris*, for each one of them had his several Censure of our Author; the first bluffed out these bombasted words (*ex hypothesi* that this great man were yet alive, and that he had noticed this Succedaneous to Mr. Selden, with a *Quantum mutatus ab illo*, in regard of his great deficiency as to Offensive and Defensive Arms) he, I say, expressed himself in that new Coined Phrase, that he would have Satyrized him to death, alluding to that Roman Poet, who Rymed a silly Citizen of Rome to Death, because he would not make him his Son in Law: and that Montague had as Sarcastick a Talent as any of his Age (subjoyned he) may easily appear, from his most pickant Satyrs against the Papists in his *Gogger Gagg'd*, against the Dissenters in his *Appello Casarem*, against *Baronius* in his Annotations on his Voluminous Annals; and finally against the great Lawyer Selden, with all his Sect of *Protei & Vertumni*,

The 2d. Opin'd, that he would pity him with that compassion, which the people of Troy had for young *Troilus*, when they saw him resolute to fight with the invincible *Achilles*, (and that in the absence of his Brother *Hector*) some termed him *infelix puer*, and others concluded, that such an *Impar Congressus* would prove fatal to him, the truth of which prediction, was within few minutes verified by the Event.

The 3d. compared him with his *lo Pean* to the foolish Emperour *Caligula* (tho he knew not if he had a *Casoria* to give him a *Philiter*) this distracted Prince (said he) raised a great Army at Rome, in order to the subduing the Revolted *Britains* to their Old Masters the *Romans*; but having come the length of *Batavia*, there he listid, and having given Order to Marshal his Army, as if he had been instantly to rencounter some formidable Enemy, he there ordered them all (for it was upon the Sea side) to fall to, and let every man gather as many Perwinkles and Cockle shells, as possibly they could, then wrote home to his *Tegata Mancipia* (for thus he termed his Slavish Senat at Rome) to prepare a most Solemn Triumph for him, and his Army, who were advancing with the Spoils of the Conquered Ocean.

But the last gave his Verdict in very few words; yet as substantial as any of the former: I am fully perswaded, said he, that tho *Montague* was Cholerick enough, yet that he was a very Generous Soul, and that he would have looked down with no less disdain upon this little, impotent, new Author, than the Great *Stillingfleet* did upon our Doctor *Rule*; and to have made no more deeds nor words of it, than that noble Emperour who perceiving his despicable Enemy, said only thus, *non dignus Caesaris ira.*

We have now done with our Animadversions on that which our Author terms his History of Tithes, tho it had been a more proper denomination to have call'd it, *The Battery of such a man, levelled against the antient patrimony of the Church*: The great Roman Orator gives us this Character of a good Historian, *Ne quid falsi audeat, & ne quid veri non audeat*, meaning, that it is the part of an approved Historian to narrate *Rem Gestam*, even all matters of Fact with all due Circumstances, which ought to be know'n, faithfully and Impartially, without Fear or favour to any, Liker to an Upright Scribe, than a *Morose Aristarchus*: for they are justly accounted the best Historians who seldomest interpose their own judgements, either by way of commendation or reproof, but remit it to the censorious World, to become either *Satyrists* or *Panegyrists*: on which account (as some suppose) *Moses* (tho faithful in all the House of God) forbore to give any Censure of the palpable Immoralities of some of the old *Patriarchs*, because in those Narratives, he was only acting the part of an Historian.

But for our pretended Historian, a *Pythagorean* would be apt to imagine from that strange Fermentation, which appeared in him, that there was a *Metempsychosis* of a *Momus* or *Zoilus* into him: A Poet would come in with his *Metamorphosis* of some monstrous production: but without any poetical Fancy, he may be truly said to have transformed himself from an *Historian* to an *Apologist*, and such an unchristian Apology, as not only endeavours to justify a very bad Act, but doth applaud it; For what more impious injustice can be imagined, than for a Man to rob his God, and all they who do such abominable things, or take pleasure in those

those who do them, have good reason to fear that they shall have a large share of that woe denounced by the Prophet, in the name of that great God who is a consuming Fire to all the workers of Iniquity, We may find it in *Isaiab, c.V. v. 20. Woe unto them who call Evil Good and Good Evil, who put Darkness for Light, and Light for Darkness, that put Bitter for Sweet, and Sweet for Bitter.*

Let us now in following our Author, descend to the solemn Interment of that ancient Patrimony of the Church, I mean those *Tithes* which were in possession of Church-men, either by drawing *ipsa corpora*, or by setting Tacks to the Possessors of such Lands, during their Lifetime, and five years after their Death, with the consent of the Patron, and three without it: As for Bishops their Tacks extended to 18 years *Simpliciter*, for they were presumed to be old Men, before they were advanced to that Eminency in the Church, all which are flown up by that unhappy Act of Valuation; There is indeed a great difference betwixt a speculative destruction and a practical, but where they are strongly united, A God have mercy upon us, may be written on the Doors of all these who are subjected to both. When I began these Animadversions I designed (*favente numine*) to have given my Sentiments at large concerning this Tragical Subject, but having almost run my self out of Breath, in pursuit of those *ignes fatui*, I mean a number of airy Squibs thrown at random, I fell into such a Fatigue, that I began to reflect upon the advice of a Poetical Physician, who among the rest of his Anodynes, which (to use his own Words) *senibus medicantur anhelis*, he prescribes Rest of Body and Mind, as a sovereign Narcotick against the Lassiude of both: Therefore I determined to be very brief on the Catastrophe of the Tragedy, that I may neither any more weary the candid Reader or my self.

Yet for all my haste, I cannot but notice a mistake of our Author concerning the *Vicarage* or small *Teinds*, that they may be valued without the consent of the *Vicar*, as well as the *Great* against the Will of the *Titular*, whereas the Act of Parliament expressly declares the small *Tithes* unvaluable, if so be the *Vicar* hath been in possession, time out of mind, of drawing *ipsa corpora*, which is

such a certain Truth, that a Friend of mine did reduce a Decreet of Valuation, ingrossing both great and small *Tiends* (which an Heritor (by an Apparition of Angels to the Clerk) had obtained Clandestinely) It was I say reduced *ex eo capite*, because such *Vicarage Tiends* could not be valued ; which Reduction was carried on a little before the last Revolution; in which Commission it is possible, that there might have been some there, who were apt to apprehend (when the great *Tithes* were named as the ancient Patrimony of the Church) that they were part of the Rage of Popery, and that there was some hidden design to retrieve that old Gentleman of Rome, with all his Retinue and Baggage : An other prejudice is that of *Self-interest* : For the French have a true Proverb, *that any thing will lie, except Interest*, which will never lie ; Yea our *Highlanders* have a common Maxim to that same purpose, *that they cannot endure that Man, who would take a byte of their Bannock* ; and who doubts but that there be many *Low Countrey Men* who would put their hands to that barbarous Creed : for it is to be understood of all their Possessions, whether *per fas aut nefas*. But let us return to the valuation of the great *Tiends*, of which we are only concerned to discourse at this time, the Tragical account whereof our Author ushers in somewhat comically, as in

Pag. 295. Our Law never allowed the Feuing of *Tithes* since the *Lateran Council*, which some hold to be that under *Alexander 3d anno 1179*: and others that *Lateran* under *Pope Innocent 3d anno 1215*. And I doubt if any Feus of *Tithes* can be found in *Scotland*, that are antierour to the latest of these *Councils* : But our Author imagines, that he hath found a sufficient *salvo* for both, even a *Panacea*, a *Panchreston*, and *Catapantical* Remedy for all those Maladies, in those few Words, ['From which time our Law never allowed the feuing of *Tithes*, till that Rational Innovation introduced by K. *Charles 1st*,] which undoubtedly is to be understood of the Act of *Surrenders* (as it was termed) one part whereof, did ordain all *Laicks* who (*viis & modis*) had got possession of their Neighbours *Tithes*, to sell them to the Heritor of the Land, at nine years Purchase; Which (*ex hypothesi*) that the true Original Titular could not, *Rebus sic stantibus*, possibly

sibly be restored. I judge this to have been a very charitable Act *pro loco & tempore*, that they who had committed a great Error in the first Concoction, should not be permitted to usurp any more upon their more innocent Neighbours, but that even these should reap some Benefit by that Maxim of Law, *in pari jure, melior est conditio possidentis*.

The other brand Branch of that Act of *Surrenders* concerned these great *Tithes*, which were in the possession of *Ecclesiasticks* by drawing either the *ipsa Corpora*, or by setting of *Tacks*, as they thought fit. These could not be sold, because *Church-Men* are only *usufructuaries*, but the Heritor was allowed to value them before the *Kirk Commission*, & to pay the fifth part of his real Rent to the Titular in compensation of his Great *Tiends*, without Consideration of the *Vicarage Tithes*, (tho our Author insinuates the Contrary) but ere I proceed any further, I must Undeceive him as to his Calculation; even suppose the fifth part of the true Rent were as truly payed; for tho' Pag: 441 he there tells us, that, 'It is Non-sense to say, that the Heritor hath no prejudice by paying the fifth part of his Rent. I must take the boldness to tell him, that it is Non-sense to say, that the Titular sustains No prejudice when the same is faithfully done, and that upon many accounts: but here I shall only make it appear, that our Author is no good *Arithmetician*, and that by the Old *Scots* way of calculating the proportion of the growth of the land, which ought to be payed yearly to the Heritor, they make a *Tripartit* division, by three words Somewhat Barbarous, *Sowing, Gnawing, Mawing*; the first Imports, that the 3d part of the Cropt should be laid aside for Sowing the land the next year; the 2d Implies that another 3d part should be allowed to the Farmer for Maintenance of his Family and beasts Necessary for his Labour: The last 3d being due to the Land-lord. Now let any Puny *Arithmetician* compare the 5th part of One of the 3ds, with the Tenth of all Three, and he will find the *Titular* a Considerable loser, suppose the 5th part of the Real Rent did entirely fall into his Coffers, but that 'tis very far from that will appear by and by.

That fatal Act of *Surrenders* being the Immediate consequence of that Act of *Revocation*, made by King *Charles 1.* in the first year,

year of his Reign, we are concerned to discourse a little concerning that Great but Greatly afflicted Prince, whose Unparalleled sufferings from his own subjects, afforded him sufficient Occasion to attain the Greatest honour, that ever a Christian Prince had upon Earth; and that is, to be the fewest Removes from that most excellent Pattern of Meekness and Patience, that ever was in the World, and that was the Great Prince of Righteousness and Peace: and when it is Considered, that the said King Charles dyed a Martyr for the Church, (*his enemies themselves being Judges*) who can possibly be so Uncharitable, as Once to Imagine, that this Royal Martyr ever entertained a bad design against Our Church? but since there may be a vast difference, betwixt *Intentio operantis & finis Operis*, I shall next, but very briefly give an account to the Reader, how this Great lover of the Church, and a great abhorrer of the *dilapidation* of its Patrimony, was so trepaned by the bad Counsels of some, whom he trusted too much, yet getting that Unhappy Act of Surrenders, Once Authorized by his Authority, they have taken Occasion therefrom, to verify that prediction of the *Scottish* Clergy, Mentioned by our Author pag 256 that the *Commission* of Surrenders would undo the Church:

For among the Rest of the Misfortunes of this Unfortunate Prince, whereby he resembled the Saviour of the World, it was not the least, to have Unfaithful Friends and Servants. King David a Man according to Gods own heart, was in this (as in many things else) a type of that *Blessed Emmanuel*, *he who did eat of my bread did lift up his heel against me*, with whom we took sweet Council together, and went unto the house of God in Company; this is generally Interpreted of *Ahitophel*, who is justly termed a prefiguration of the traitor *Judas*, such an *Ahitophel*, such a *Judas*, was that Kings great Counsellor, his Advocat and Man of Law, whom his Master trusted infinitely more than he deserved, there being such a fatality in the matter, that his greatest Trustees were observed, by his lamenting Friends, to be the greatest Knaves in *Britain*, and whosoever desires a larger Character of the perfidiousness of this great lawyer, let him peruse the Memoirs of a Most Ingenuous Soul; I mean *Guthry* Bishop of *Durham*, where a *Pyro* or the greatest *sceptick* in all the World may find

find abundant Conviction, that there could not be one grain Weight of true honesty in that Man, who contributed his Outmost Endeavours (tho' like a Mole under Ground) not only to blow up the Patrimony of the Church, but totally to ruin both Church and State, and his Royal Master in the end.

He Undermined the Ancient Patrimony of the Church by consulting that Act of Surrenders: for that Constrained valuation of the Tithes of the Church, hath been found (*at least by the event*) to be of such a deleterious Quality, that all the poison of Nubia could hardly Operate more Speedily on the Natural Body, than this hath done on the Ecclesiastick, So that how soon that prodigious Meteor appeared, Judicious spectators had some reason to cry out, *hodie venenum infusum est Ecclesiae*, the Atrophie & Marasmus of the Church Patrimony becoming instantly visible.

I shall now make appear what was formerly Insinuated, That this forced valuation of Tithes, under pretence of paying the fifth part of the real Rent for them, hath Mouldered them away almost to just Nothing. Our Author hints a little at this, *Pag. 398.* but rather by way of Excuse than regrave, his words are these: "The fifth (meaning the Real rent payed to the Heritor) is "the legal value put upon the *Parsonage* Tithes. But then some "deduction useth to be given to the Heritor, upon the Account of "Industrial and Costly Improvements of the Ground, by Liming, "Dunging or Otherways, &c. Then he gives two Instances of favours obtained before the Commission, the One is of the Heritors of *Dumbar*, upon the Account of *Sea-Ware* bought from that Town; and the other of Compost (*Muck*, as he words it) bought from *Edinburgh* for the dunging of the land thereabout: Now witnesses having deponed, that the land would not have yielded so much if it had wanted the said Gooding; therefore the Commission, thought fit to give the Respective Heritors some ease upon that Account.

But let us suppose a Parson or Titular of the great Tithes, when he is about to draw *Ipsa Corpora* in regard of Immemorial Possession (whose right, was founded in *Jure Communi* before that Unhappy Act of valuation) & is thus accosted by the Ground

C. c.

Labourer

Labourer: Sir, I have been at great expence in Manuring this Land; for some times I buy *Lime*, sometimes *Sea-Ware*, or *Muck*, from the most contiguous Burgh; at least I made use of *Pease* every other year, or *Muck-feal*, without which, we would not have such abundance of *Barley*, without a Miracle; Therefore I hope you will not draw the *Tenth Sheaf* from me, but will be content with less, lest I cause you get much less the next year for want of *gooding* to the Land. Now a Titular of any sense would not fail to return him this Answer: Friend, do you not know, That if your Land produce nothing, I will get nothing, and since the Providence of God will have me to sympathize with you in your Adversity, there is very good reason for it, that I have a share with you in your Prosperity: and if you be truly grateful to God, the Giver of all Good, you would rather offer him more than you use to do in a bad year (for what you pay to the Church is given to God) I mean a greater proportion of your Growth, because he hath blessed the *Nine* parts much more abundantly, than he useth to do, and I must further demand of you, would you not think a Neighbour Ridiculous, who having gone to a *Market*, and bought a great Flock of Sheep at a very dear Rate, who should conclude, That because of his great Expence, the *Visar* the next year, would not find in his heart to exact the *Tenth* of *Wool* or *Lamb* from him? but if you will ponder the reason vvhich I have just now given you, your Discourse to me vvill appear more ridiculous.

And so it would to any sober *Jew*, if you should tell him, that when they dwell in the *promised Land*, you would have deem'd that Man a Fool, who being at great Expence to labour his Land, and having reaped double or triple to a lazy Neighbour, who had the same proportion of Ground, and as good Soyl too, if he knew how to manage it aright, if you should judge him foolish who hath the best Crop, to give more under the Notion of *first fruits*, than his Intrugal Neighbour (since the *Mosaicke law* had left the *Quota* arbitrary) a sober *Jew* would judge your self to be nothing else, but an ingrate fool, in speaking at that Rate.

But this word *Rate* minds me again of our Author, who now appears

appears to be an Advocate of the *first Rate*, or a Star of the first Magnitude, for being so ill acquaint with many other Modes of Defalcation or Diminution (in favours of the Heritours) before the Commission, for the greatest pleaders at the Bar, usually think it below them to wait on that Court, in regard of the uncertainty of their Diets, or of a *Quorum*, when some of them do meet: *Experto crede Roberto*, Experience is the reputed School-Master of fools; and I am sure the Experience was not very refreshing to me; but the Lesson I learned in that School, was of more unreasonable Methods, for the ease of the Heritour, and direct dilapidation of the Tithes, viz. some allowance must be made for the Tenants Houses (and very considerable too, considering what Habitations they usually have) another Deduction for the Grass their Master allowes, and a 3^d for their Moss, all which are highly rated before the Court, tho a Man at home might buy all these Accommodations with a Summ not exceeding the lowest of any of these Proportions, and that without many Words, or any priggings at all.

I confess, there is an old Scots Proverb, *a well dunt Bairn dares not Greet*, yet I dare not forbear (for Truths sake, and in hope of some amendment) that I admired to find none of those Heretors pleading for a large Diminution upon the account of *Steel-Bow-Tenants*, even such who are so far behind the hand, that the Master must furnish them with Seed to sow the Ground, and with Horse and Oxen, without which, it cannot be labour-ed: It is possible this may be kept as a Reserve: but that policy is needless, since the former Modes will serve the Turn, and do the Jobb sufficiently, if managed with a cunning hand; so that our Author needed not have told the World again and again, That when by the Act of Parliament 1593, *That the Cashier'd Patron to make some Compensation to him, was made Titular of the Tiends of that Parish, which he had formerly patroniz'd*, therefore the Parson becoming a meer Stipendiary, the old Brocard, *decima debentur Parocho*, is in a manner inverted to the Tyme of *decima debentur Patrono*: But I must take the boldness, to tell the Titular, whether it be Parson or Patron, that as the Case stands, he is but *magni nominis Umbra*, and has *Nomen sine Re*.

I shall shut up this tedious dissertation with an old story, and make some application of it, and so have done. It concerns the Famous *Thebean* Legion, and often cited by the passive obedience men, which was briefly this: When *Maximianus Hercules* (Colleague in the Empire with *Dioclesian*, & the cruelest of the two) crossed the *Alps* with his Army, he resolved to compell all his Souldiers the next morning to Sacrifice to his Imaginary Gods, the *Thebean* Legion being informed of this design, withdrew very early about eight miles from the Camp, and when they would not return in obedience to their Emperours Order, he gave a New Order to decimate them all, that is, to put everytenth man of them to Death: & to make a long Tale short, by reiterated Decimations he left not one of them alive, tho it was a compleat *Roman* Legion, viz. 6666.

Some think them fools, that being out of the Tyrants reach, they did not remove in Obedience to our Saviours command (counsel at least) *when ye are persecuted in one City flee to an other*. for they might easily have withdrawn to *Thebais* or upper *Egypt*, their Native Countrey, whence *Constantine* the Great would speedily have called for them, and rewarded them for flying from such a Merciless Tyrant; but others look upon the whole narrative as a meer fiction, never heard of in the world, till about 200 years after that Tragedy was said to be acted, notwithstanding *Lactantius* and *Eusebius* were living at that very time; and tho in their Martyrologies they have noticed much Minuter Matters, yet of that great Carnage, *ne-ys quidem*.

But whether it be true or Romantick, it affords the same morality to my purpose, viz. Call these Defalcations from the fifth part of the Heritors Rent, Deductions, Diminutions, Decisions, Defecations, Distractions, or what you will, I will ever after this call them *Herculean* decimations, which being reiterated, will bring the *Ecclesiastick* Legion to just nothing: But lest I be overwhelmed with a *fluxus decumanus*, I shall close abruptly, without minding any other Apology, to obviate the imputation of Malice or ill Will, of being, *Nimis Curiosus in Aliena Republica*, or that I deserve to be ranked, *inter homines male feriatos*, than the defence of that old Philosopher (once accounted the principal Secretary of Nature) for Contradicting his Old Master, *Amicus Sociates, Amicus Plato, sed magis amica veritas.*